

REQUEST	Current Zoning: R-17MF SPA (multi-family residential, site plan amendment) Proposed Zoning: MUDD-O (mixed use development, optional) with 5-year vested rights
LOCATION	Approximately 36.1 acres located on the west side of Providence Road between Cloister Drive and Knob Oak Lane. (Council District 6 - Smith)
SUMMARY OF PETITION	The petition proposes a revised site plan for the proposed Pinehurst Apartments redevelopment on Providence Road across from the Strawberry Hill area to make changes to the setback, building articulation, treatment of a parking deck and buffer requirements.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	NR Pinehurst Property Owner, LLC NR Pinehurst Property Owner, LLC John Carmichael
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 13

STAFF RECOMMENDATION	<p>Staff does not recommend approval of this petition in its current form because the proposed site plan does not mitigate the building mass of five stories and length of 690 feet along the Providence Road frontage.</p> <p><u>Plan Consistency</u> The petition is consistent with the land use and density in the <i>South District Plan</i> as amended by a prior rezoning.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • Staff does not recommend approval of this petition, as currently proposed. The proposed changes to the previously approved site plan eliminate significant courtyard breaks in the building façade. The façade breaks mitigated the impact of the 690-foot building length along the Providence Road frontage. • Staff would consider recommending approval of this petition if the proposal is revised to provide details that will ensure a pedestrian friendly experience and mitigation of the building mass and length along Providence Road and if the other outstanding issues are addressed, for the following reasons: <ul style="list-style-type: none"> • The petition is consistent with the land use and density recommended by the area plan. • The petition fully screens the proposed parking structure with residential uses. • The petition provides “eyes on the street” by providing additional units facing the street.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Carries over provisions from the previous rezoning for this site (petition 2015-052) and proposes several changes described below.
 - Maintains the allowed maximum of 580 dwelling units and maximum building heights.

Proposed Changes:

 - Proposes rezoning to MUDD (mixed use development) to accommodate a 14-foot setback from the back of the future curb. The adjacent property, to the south, was rezoned to MUDD (mixed use development district) by petition 2015-046. As part of that development, a turn lane is proposed along the frontage of a portion of the subject site and the additional right-of-way would put the current zoning’s setback into noncompliance.
 - Eliminates the two areas of building inset (approximately 33 feet in depth by 66 feet in width) provided under the previous rezoning.

- Proposes the privacy wall along Providence Road to be located 16 feet from the back of the future curb (two feet from the back of the proposed sidewalk) as opposed to 30 feet from the back of curb and 16 feet from the back of the proposed sidewalk.
- Eliminates a provided buffer along the southern edge of the site. The adjacent property to the south was rezoned for an urban, mixed use development by petition 2015-046 and the buffer is not required when abutting mixed use developments.
- Surrounds the parking structure facing the southern edge of the site with multi-family units. The previous plan allowed visible parking that was screened with a buffer.
- Requests the following optional provision:
 - Allow parking and maneuvering space between the Phase 1 building and the internal street in the event the internal street is a public street.
- **Existing Zoning and Land Use**
 - The subject property is currently developed with approximately 407 multi-family dwelling units, at a density of 11.27 units per acre.
 - It was rezoned by petition 2015-052 for up to 580 dwellings, at a density of 16 units per acre, in one five-story building, 690 feet in length, with attached parking structure along Providence Road and two and three-story buildings with surface parking on the remainder of the site.
 - Abutting the subject to the southwest are single family dwellings in R-3 (single family residential) zoning.
 - Abutting to the northwest across McMullen Creek are townhomes in R-15MF(CD) (multi-family residential) and R-12MF (multi-family residential) zoning.
 - Abutting to the south are apartments built in 1974, on a site recently rezoned (petition 2015-046) MUDD-O (mixed use development optional) for a mix of apartment, retail, and office uses.
 - Across Providence Road to the northeast is the Strawberry Hill development, with apartments and retail zoned R-12MF (multi-family residential) and NS (neighborhood services), and additional retail zoned B-1(CD) (neighborhood business, conditional) and MUDD-O (mixed use development, optional) zoning.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Recent rezonings approved in the area include:
 - Petition 2015-046, abutting the subject property and located on the northwest corner of Providence Road, Fairview Road and Sardis Road, rezoned 10.7 acres from R-12MF (multi-family residential) and B-1(CD) (neighborhood business, conditional) to MUDD-O (mixed use development, optional). The rezoning allows up to 100,000 square feet of retail, eating/drinking/entertainment establishments, general and medical office and personal service uses, and up to 225 residential dwelling units.
 - Petition 2014-093 rezoned 3.15 acres located on the northeast corner of Providence Road, Sardis Road and Fairview Road to MUDD-O (mixed use development, optional) to allow a maximum 35,000 square feet of commercial floor area.
 - Petition 2012-076 rezoned 1.66 acres located on the northeast corner of Providence Road and Mammoth Oaks Drive from INST(CD) (institutional, conditional) to B-1(CD) (neighborhood business, conditional) to allow a free-standing surface parking lot associated with an adjacent religious institution.
- **Public Plans and Policies**
 - The *South District Plan* (1993), as amended by rezoning petition 2015-052, recommends residential uses up to 17 dwelling units per acre.
 - Protects/restores environmentally sensitive areas by preserving a portion of the SWIM buffer along McMullen Creek to be conveyed to Mecklenburg County Park and Recreation Department and providing additional property for an accessible connection to the McMullen Creek Greenway from the proposed multi-family development.
- **TRANSPORTATION CONSIDERATIONS**
 - This site was recently rezoned and implemented all the recommended transportation improvements. The requested change to MUDD-O will help implement anticipated transportation improvements on Providence Road associated with the development of the site to the south. This rezoning will not impact the traffic generation of the site.
- **Vehicle Trip Generation:**
 - Current Zoning: 3650 trips per day (based on 580 multi-family dwellings).
 - Proposed Zoning: 3650 trips per day (based on 580 multi-family dwellings).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 79 students, while the development allowed under the proposed zoning will produce 79 students. The net change in the number of students generated from existing zoning to proposed zoning is 0 students; therefore, the proposed development is not projected to increase the school utilization (without mobile classroom units) for Sharon Elementary (148%), Alexander Graham Middle (113%), Myers Park High (116%).
- **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 comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESSite and Building Design

1. Increase the transition zone between the back of the proposed sidewalk and the proposed retaining and privacy walls along Providence Road in front of buildings one and three.
2. Remove details of the walls between the buildings and Providence Road on sheet RZ-100.
3. Provide a new sheet with a detailed plan graphic of the area between the buildings and Providence Road. This graphic should provide clear dimensions and distances for the planting strip, sidewalk, transition zone, retaining walls, and privacy walls.
4. Provide two cross-sections with clear dimensions for privacy and retaining wall condition and privacy wall only condition.
5. Provide notes committing to minimum distances between the proposed sidewalk and the retaining walls, the proposed sidewalk and the privacy wall, and between the top of the retaining wall and the privacy wall along Providence Road.
6. Provide notes committing to maximum heights for retaining walls and privacy walls along Providence Road.
7. Provide the following note for the prominent pedestrian entry into building three: "Building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features: (a) decorative pedestrian lighting/sconces; (b) architectural details carried through to upper stories; (c) covered porches, canopies, awnings or sunshades; (d) archways; (e) transom windows; (f) terraced or raised planters that can be utilized as seat walls; (g) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (h) double doors; (i) stoops or stairs; and/or (j) contrasting pavement from primary sidewalk."
8. Provide building elevations for building three.
9. Amend the optional provision to allow parking between the building and the internal street only along the private drive extending through the center of the Phase 1 building and up to one recessed loading space along the internal street.

Transportation

10. Amend the sheet RZ-100 to add an optional request to indicate that the sidewalk and planting strip width at the northern property line, near the culvert will be determined during construction plan review and approved by CDOT and Engineering Property Management.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte-Mecklenburg Schools Review

- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

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