

REQUEST	Current Zoning: MUDD-O (mixed use development, optional) and B-2 (CD) (general business, conditional) Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment) and MUDD-O (mixed use development, optional) with five-year vested rights.
LOCATION	Approximately 75 acres located between Ardrey Kell Road and Golf Links Drive, West of Providence Road. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes several minor changes to the previously approved site plan for the Rea Farms mixed use development currently under construction. Changes include the relocation of the proposed hotel, allowance for a video screen internal to the site, revision to the layout of some retail buildings, shifting of the location of the village green, as well of some other minor modifications.
PROPERTY OWNER	RFR, LLC; CVR Associates, LP; Rea Farms Construction LLC; Simpson Woodfield Rea Farms, LLC; CalAtlantic Group, Inc.; CRP-GREP Overture Providence Owner, LLC
PETITIONER AGENT/REPRESENTATIVE	Lincoln Harris, LLC Collin Brown and Bailey Patrick, Jr., K&L Gates LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12.

STAFF RECOMMENDATION	Staff recommends approval of this petition. <u>Plan Consistency</u> The petition is consistent with the <i>Providence Road/I-485 Area Plan Update</i> recommendation as updated by Rezoning Petition 2015-022 for a mixture of residential, office, retail uses for the site and the surrounding area included in the Rea Farms Development. <u>Rationale for Recommendation</u> <ul style="list-style-type: none"> • The proposal does not increase the land use entitlements approved with the original rezoning plan for the Rea Farms development. • The site plan amendment makes minor changes to the plan to accommodate a different hotel location, video screen within the site, clarification of building elevation elements, and standalone buildings within the site. • The proposed changes are primarily internal to the site or along Ardrey Kell Road and no changes are being made to the areas that abut existing single family detached homes.
---------------------------------	---

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan amendment contains the following changes:
 - Proposes to amend a 75 acre portion of the previously approved plan for the Rea Farms development including development areas A, B, and G all zoned MUDD-O (mixed use development, optional).
 - ~~Adds a small, vacant portion of the adjacent shopping center property zoned B-2(CD) (general business, conditional) also owned by the petitioner, to the Rea Farms development plan. This portion was previously a required buffer for the shopping center but due to the Rea Farms rezoning it is no longer needed. The proposal would remove the buffer in order to connect Rea Farms to the shopping center, allow Rea Farms to utilize an existing drive alignment and expand an outparcel in development area G to the east towards the existing drive.~~
 - Revises the retail building layout in development area B by increasing the number of freestanding single tenant buildings from two to three. The maximum square footage of

- 900,000 square feet and types of uses have not changed.
- Updates the number of residential units allowed in the MUDD-O (mixed use development, optional) area from 505 units to 527 units based on allowed development entitlement transfers. This does not result in an increase in the total number of units allowed overall because the original rezoning allowed units not constructed the MX-1 (mixed use) area to be transferred to the MUDD-O (mixed use development, optional) area.
 - Adds a sub-area of Development Area G called G-1, located at the northwest corner of the intersection of Sandy Rock Place and Ardrey Kell Road to clarify the possible location of the hotel.
 - Modifies the height limitations for area G by adding that a hotel building located within area G-1 shall not exceed six-stories in height on the frontage along Sandy Rock Place, other than at the corner of Sandy Rock Place and Ardrey Kell Road, and shall not exceed five stories in height on the frontage along Ardrey Kell Road. ~~adding that a hotel in area G may be up to 6 stories.~~ All other uses in area G remain limited to three stories. This modification allows the hotel location to be within area A, as originally planned, or within area G along Ardrey Kell Road.
 - Provides a note that within area G-1, at least 75% of the exterior façade square footage of the first four stories of the building elevation facing Ardrey Kell Road and Sandy Rock Place shall be comprised of brick, glass or stone (or synthetic equivalent). Any floors above the first four stories may also include stucco, fiber cement, metal accents or roofing, architectural shingles. On any floor, architectural elements such as lintels, cornices or trim may consist of alternative materials other than those listed above.
 - Provides a note that for uses within Development area G-1, delivery and service areas, including dumpster and garbage pickup, shall only be provided in the areas designated on the plan. Garbage and recycling areas shall be enclosed on all sides by opaque walls with one side being an opaque hinged gate.
 - Specifies that the petitioner shall provide an architectural element, such as a fountain, on the corner of Sandy Rock Place and Ardrey Kell Road and no tables or outdoor umbrellas shall be permitted in this area.
 - Provides a note that states within area G-1, roof top terraces, if provided, shall only be permitted in the location depicted on the plan, fronting Sandy Rock Place and not fronting Ardrey Kell Road.
 - Specifies that with respect to area G-1 the petitioner will provide enhanced landscaping and/or a berm along Ardrey Kell Road. If otherwise visible, surface parking areas along the frontage of Ardrey Kell Road shall be screened from view from Ardrey Kell Road through the use of intermittent brick or masonry walls with a maximum height of four feet.
 - Specifies that in area G-1 free standing lighting fixtures shall be a maximum of 21 feet tall and shielded with full cut-off fixtures.
 - Adds a note specifying that gas stations will not be allowed as a stand-alone use or as an accessory use.
 - Adds an optional provision to allow a video screen at eastern end of the village green. The site plan contains size and design limitations as well as an elevation of the video screen. The sign will not be visible from Ardrey Kell Road.
 - Updates the statement of overall design intent in the design guidelines to clarify “the site” as proposed in the rezoning refers to the office, retail, service, residential and open space portions of the Rea Farms Development.
 - Modifies a label on the rear elevation of the grocery building to remove the restriction that the artwork panels or graphic cannot relate to or show items sold in the store. This reflects changes to the North Carolina state law that prohibits local governments from controlling the content of signage.
 - Shifts the location of the village green, to the west, to accommodate the parking area for the proposed EDEE (eating, drinking, entertainment establishment) at the eastern end of the green. The required minimum size of three acres for the village green has not changed. The previous plan contemplated a larger area without buildings in the center of the site than the required village green size.
 - Updates transportation notes and commitments to reflect the current status of the project.
- **Existing Zoning and Land Use**
 - The subject property is a former golf course under redevelopment as a very large mixed use development. Petition 2015-022 rezoned most of the subject property, 194 acres, from R-3 (single family residential) and NS (neighborhood services) to MUDD-O (mixed use development, optional) and MX-1(INNOV) (mixed use, innovative) to allow a mixed-use development that would permit up to 954,000 square feet of office and retail uses, 265,000 square feet of institutional uses, 250,000 square feet of outdoor and indoor recreational uses, 700 residential units and 300 age restricted residential units.
 - The properties to the north, south, and west are zoned R-3 (single family residential), R-8MF

(CD) (multi-family residential), MX-1 (mixed use) and UR-2(CD) (urban residential, conditional) and are vacant or developed with residential structures. Properties to the east are zoned B-2(CD) (general business, conditional) and developed with commercial structures.

- See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petitions 2016-040 and 2015-055 were site modifications to Petition 2013-085 for the Waverly development, east of the subject, which rezoned 89.5 acres from R-3 (single family residential) to MUDD-O (mixed use development, optional) for a mixed use development with up to 560,000 square feet of office and commercial land uses, a 150-room hotel and 561 dwelling units.
 - Petition 2015-087 for the Providence Farms development, rezoned 38.3 acres located east of the subject property, from R-3 (single family residential) to MUDD-O (mixed use development, optional) and MX-2 (mixed use) to allow a multi-use development with up to 30,000 square feet of office and retail uses, 180 hotel rooms, and 425 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.
- **Public Plans and Policies**
 - The *Providence Road/I-485 Area Plan Update* (2000), as amended by petition 2015-022, recommends residential, office, and retail for most of the subject site. It recommends retail use for a small sliver of additional land at the southeast corner of the property.
- **TRANSPORTATION CONSIDERATIONS**
 - The petition is a site plan amendment to the prior Rea Farms rezoning 2015-022. The proposed changes do not affect trips generated. ~~However, CDOT continues to request the resolution of numerous transportation note discrepancies between this site plan amendment, the approved traffic study, and the approved administrative amendment.~~ **The petitioner has resolved the transportation note discrepancies between this plan, the approved traffic study, and the administrative amendment.**
 - ~~See Outstanding Issues, Note 1.~~ **Addressed**
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: Not determined; the site is currently under construction.
 - Entitlement: 35,600 trips per day (based on 500 apartments, 200 single family dwellings, 300 age restricted dwellings, 250,000 square feet retail, 250,000 square feet health club, 650,000 square feet of office, 17.8 acres institutional, 26,000 square feet institutional).
 - Proposed Zoning: No change from entitlement.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing 16-inch water transmission mains located along Providence Road and Ardrey Kell Road. Charlotte Water has sewer system availability for the rezoning boundary via an existing 8-inch gravity sewer main located along Providence Road.
- **Engineering and Property Management:**
 - **Arborist:** No issues.
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUESTransportation

1. ~~Modify transportation notes to reflect the addition of notes shown and described in the Transportation memo dated 9-18-17.~~ Addressed

REQUESTED TECHNICAL REVISIONSSite and Building Design

2. ~~Remove clouding from notes that were part of the administratively approved plan (for example H.1 under optional provisions related to construction signage).~~ Addressed
 3. ~~Cloud notes that have been amended or added since the administratively approved plan.~~ Addressed
 4. ~~Remove the metes and bounds description for the portion of the B-2(CD) zoned parcel that was removed from the proposed rezoning on Sheet RZ-1.~~ Addressed
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing staff analysis
- Post Hearing staff analysis
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing & Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: John Kinley (704) 336-8311