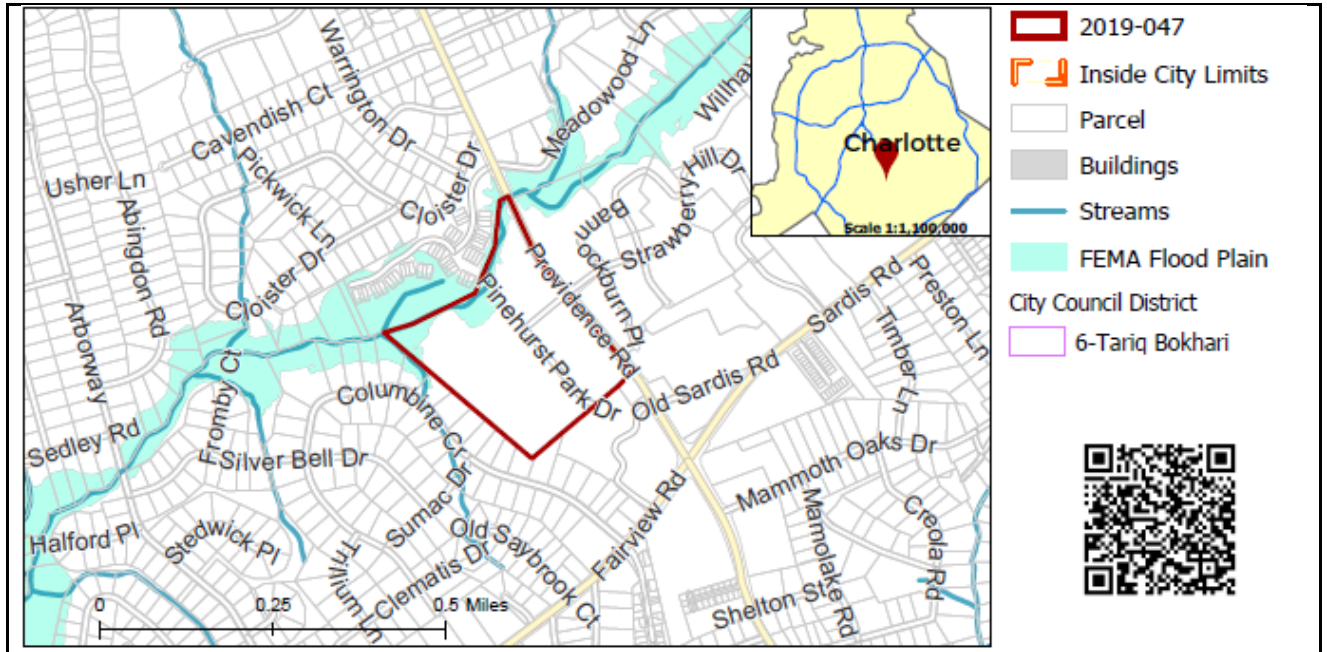


**REQUEST**

Current Zoning: MUDD-O (mixed use development, optional)  
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

**LOCATION**

Approximately 36.06 acres located on the west side of Providence Road between Cloister Drive and Knob Oak Lane and across from Strawberry Hill Drive.



**SUMMARY OF PETITION**

The petition proposes to modify the previously approved plan to redevelop the existing apartment complex by allowing additional dwelling units in a single building with structured parking.

**PROPERTY OWNER**

NR Pinehurst Property Owner LLC

**PETITIONER**

NR Pinehurst Property Owner LLC

**AGENT/REPRESENTATIVE**

Keith MacVean, Dujuana Keys & Jeff Brown, Moore & Van Allen

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 27.

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *South District Plan* as amended by petition 2016-032, which recommends residential at less than or equal to 17 dwelling units per acre.

Rationale for Recommendation

- The rezoning is for entitlements up to 830 units, which all traffic impacts were mitigated for in the previous rezoning that resulted in 581 units.
- While the district plan identifies the intersection of Providence and Fairview Road for a neighborhood center, this area around the rezoning has organically developed into more of an activity center with a mix of uses, pedestrian improvements, and road improvements through redevelopment and prior rezoning

approvals. An activity center would be acceptable for this type of density.

- Pedestrian improvements have been constructed as part of the previous rezoning for this site, which include a crossing to allow pedestrians to safely cross Providence Road to get to the Strawberry Hill mixed use area.
- There are multiple bus options and stops in the immediate vicinity of the rezoning to serve the residents living in the community.
- The petition commits to provide a workforce housing program to include no fewer than 42 of the units located on the site (equal to 5% of the additional units added to the site as part of the petition) for a period no less than 15 years maintain monthly rents that are income restricted for households earning 80% or less of AMI. Once building 6 is constructed a minimum of 25 of the proposed 42 workforce housing units will be located within building 6.
- The petition provides a commitment to maintain (not demolish or redevelop), for a minimum of 5 years a minimum of 130 of the existing older units (those constructed around 1967). The petitioner reserves the right to reduce the 130 units by 10% if during construction plan review for building 6 it is determined that they cannot be preserved due to engineering constraints and/or requirements associated with building 6.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from current residential use at less than or equal to 17 DUA to residential use at greater than 22 units per acre for the site.

## PLANNING STAFF REVIEW

### • Proposed Request Details

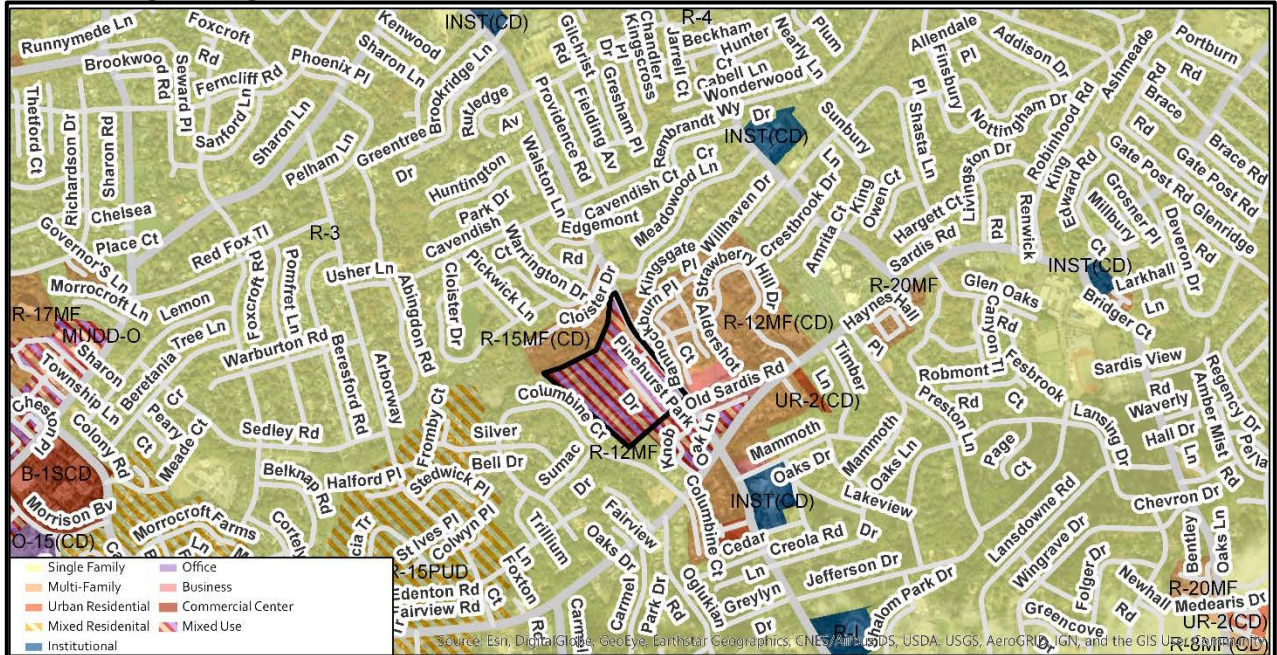
The site plan amendment contains the following changes:

- Increases the number of units from 581 (16.11 DUA) to 830 ~~854~~ (23.02 ~~23.68~~ DUA).
- Adds a commitment to provide a workforce housing program to include ~~that no fewer than 42 of the units located on the site (equal to 5% of the additional units added to the site as part of the petition) for a period no less than 15 years maintain monthly rents that are income restricted for households earning 80% or less of AMI. Once building 6 is constructed a minimum of 25 of the proposed 42 workforce housing units will be located within building 6. no fewer than 5% of the total number of units constructed on the site, for a period of no less than 15 years from the first Certificate of Occupancy, maintaining rents restricted for to households earning 80% or less of the area median income.~~
- Adds a commitment to maintain (not demolish or redevelop), for a minimum of 5 years a minimum of 130 of the existing older units (those constructed around 1967). The petitioner reserves the right to reduce the 130 units by 10% if during construction plan review for building 6 it is determined that they cannot be preserved due to engineering constraints and/or requirements associated with building 6.
- Combines the previously approved 4 smaller buildings into one building internal to the site, behind the new building along Providence Road. The buildings abutting single family residential zoning and McMullen Creek remain as previously approved.
- Changes the layout of the internal drives and parking; the previously approved Private street connection to the abutting site to the south remains.
- Increases the building height for the internal building. The previously approved buildings were limited to 2 and 3 stories. The proposed building is 4 stories with portions being 5 stories (4 stories and a basement).
- Adds commitment to reconstruct the accessible ramps on the east side of the intersection of Providence Road and Strawberry Hill Drive.
- Adds commitment to make a \$25,000 contribution to the City of Charlotte to assist with the construction of a sidewalk along Providence Road as part of the city's Providence Road sidewalk project.
- Add commitment that the new buildings constructed on the site will be constructed to meet nationally recognized green building standards such as LEED, NGBS, or the Green Building Initiative's Green Globes program.



- Adds a commitment to provide a minimum of 8,000 square feet of urban open space at the intersection of Private Street A and B and 3,000 square feet of urban open space at the southern end of Private Street B.
- Commits to the installation of additional buffer plantings along the northern and western property line prior to the issuance of a certificate occupancy for building 6.
- Carries over previously approved development standards for the remainder of the site.

• **Existing Zoning and Land Use**



The site has been rezoned 3 times since 2013. Each of these petitions limited the total number of units on the site to 581.

- 2013-023 rezoned the site from R-12MF to R-17MF(CD) to allow the redevelopment of apartment complex for up to 581 new apartments.
- 2015-052 amended the approved site plan to change the layout including the combination of two buildings into one longer building along Providence Road (see street view below).
- 2016-032 rezoned the site from R-17MF(CD) to MUDD-O to allow additional changes to layout.

The site is located near the intersection of Providence Road and Fairview Road in an area with a mixture of uses including single family detached and attached, multi-family, office, neighborhood service and retail uses.



The site is developed with multi-family residential uses. The image above shows the newly constructed apartment building along Providence Road entitled by the previously approved rezoning. Behind and north of this building are older, smaller apartment buildings.





West of the site along Columbine Circle are single family homes.



South of the site at the corner of Providence Road and Fairview Road is a vacant site approved for 95,000 square feet of retail, EDEE, office, and personal service use; up to 201 multi-family dwelling units; and a 135,000 square feet of self-storage facility below grade.



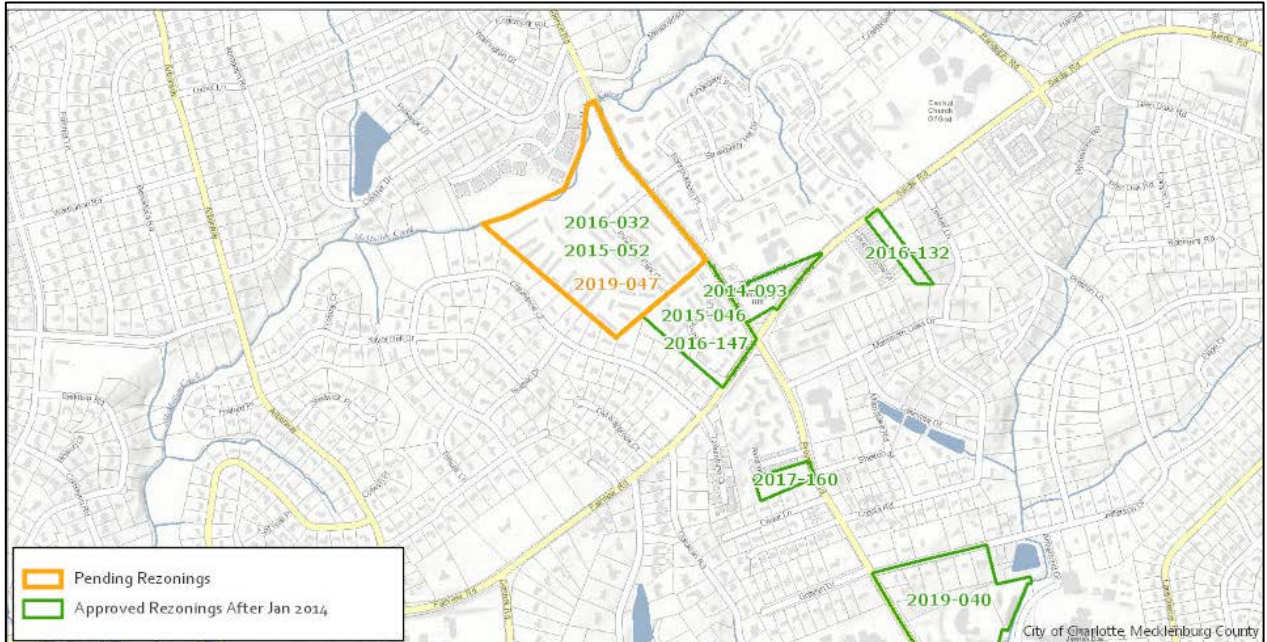
East, across Providence Road from the site is property developed with Strawberry Hill apartments and the shopping center.



North of the site, across McMullen Creek, are single family attached dwellings along Meadowood Lane.

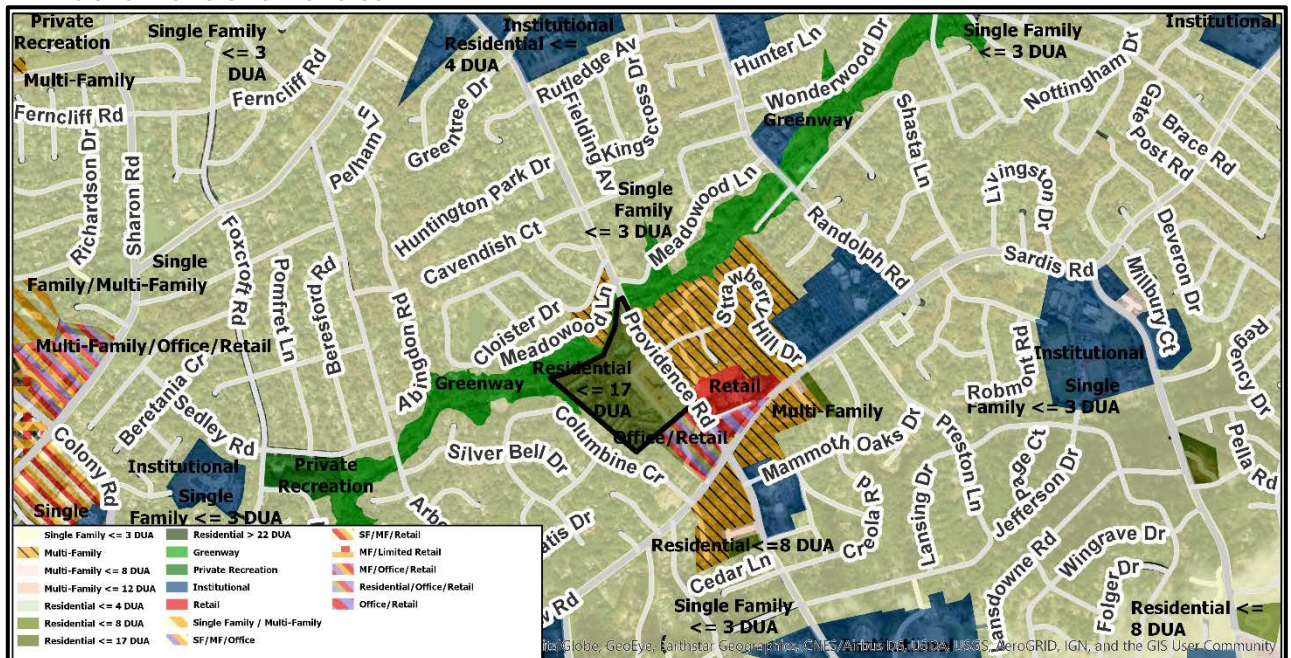


• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2015-053, 2016-032	Previous rezonings for the subject site: 2015, to R-17MF(CD) SPA; & 2016 to MUDD-O. Both rezonings allowed up to 581 units.	Approved
2015-046, 2016-147	MUDD-O and then to MUDD-O SPA to allow a mixed use development containing grocery store, self-storage facility and multi-family dwellings.	Approved
2014-093	MUDD-O to allow a mixed-use commercial development and two accessory drive through windows.	Approved
2016-132	UR-2(CD) to allow 16 townhomes at a density of 8 DUA	Approved
2017-160	UR-2(CD) to allow 14 townhomes at a density of 6.73 DUA	Approved
2019-040	INST(CD) to allow home for the aged containing 126 independent living units and 24 memory care beds. INST to allow all uses in the institutional district	Approved

• **Public Plans and Policies**



- The *South District Plan* (1993) recommends residential use at less than or equal to 17 dwelling units per area, as amended by petition 2016-032.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The proposed density (23.02 ~~23.68~~ DUA) exceeds the *General Development Policies* locational criteria for consideration of up to 8 dwellings per acre (note that the prior rezoning 2016-032, also exceeded the GDP density, as illustrated in the table below.)

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	2
Connectivity Analysis	2
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 14</b>	<b>Total Points: 11</b>

• **TRANSPORTATION CONSIDERATIONS**

- This site is located along a Major Thoroughfare and a Local Road. The site conducted a Traffic Impact Study as part of phase one and took into consideration this future expansion. The site committed to improvements at Strawberry Hill Drive by installing a new traffic signal with additional turn lanes, and upgrading existing ramps.
- ~~See Outstanding Issues, Note 5.~~ See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Vehicle Trip Generation:**  
 Current Zoning:  
     Existing Use: 3650 trips per day (based on 581 dwellings).  
     Entitlement: 3650 trips per day (based on 581 dwellings).  
 Proposed Zoning: 4560 ~~4690~~ trips per day (based on 830 ~~854~~ dwellings).

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

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 100 students, while the development allowed under the proposed zoning may produce 142 ~~146~~ students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 43 ~~47~~ students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Sharon Elementary from 161% to 164%
    - Alexander Graham Middle to remain at 114%
    - Myers Park High from 119% to 120%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Providence Road. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. Due to the limited project details that were provided, it is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Land Use

- ~~1. Reduce the number of proposed units to provide a density of 17 DUA or less. Rescinded~~

Transportation

- ~~2. Revise the site plan and conditional note(s) to commit to extending sidewalk along Providence Road to Cloister Drive. This is an ask because it is an offsite roadway improvement. The petitioner is proposing to donate \$25K, which is only 10% of what the City would have to pay for the sidewalk as part of the active sidewalk project. Rescinded~~
- 

**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** John Kinley (704) 336-8311