

<b>REQUEST</b>	Current Zoning: R-3 (single family residential) Proposed Zoning: MUDD-O (mixed use development, optional) and MX-2(INNOV) (mixed use, innovative)
<b>LOCATION</b>	Approximately 72.2 acres located on the east side of Providence Road between Interstate 485 and Providence Country Club Drive. (Outside City Limits)
<b>SUMMARY OF PETITION</b>	The petition proposes a mixed use community with up to 30,000 square feet of commercial uses, a hotel with up to 180 rooms, and 425 multi-family dwelling units on the front half of the site, closest to Providence Road. The request for the back portion of the site, between Ardrey Kell Extension and Six Mile Creek, is for 175 single family detached and single family attached units, with only detached units allowed in the area closest to Six Mile Creek.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Star City Development Company, Inc. Crescent Communities, LLC Jeff Brown & Keith MacVean
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 21.

<b>STAFF RECOMMENDATION</b>	<p>Staff does not recommend approval of this petition in its current form.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>Providence Road/I-485 Area Plan Update</i> which recommends:</p> <ul style="list-style-type: none"> <li>Residential uses at up to eight dwelling units per acre for Areas A, B, and C of the rezoning; and</li> <li>Residential uses at up to four dwelling units per acre for area D.</li> </ul> <p><u>Rationale for Recommendation</u> Staff does not recommend the petition in its current form because the current proposal has a number of significant outstanding issues including:</p> <ul style="list-style-type: none"> <li>A lack of a detailed site plan that protects environmental features for the part of the site between Ardrey Kell Extension and Six Mile Creek,</li> <li>Needed commitments to important site design details that will ensure that the development is pedestrian friendly, and</li> <li>Additional transportation issues that need to be addressed.</li> </ul> <p>However, staff would recommend approval of this petition if the outstanding issues and requested technical revisions were addressed, as an updated proposal would:</p> <ul style="list-style-type: none"> <li>Support the vision for the Providence Road/I-485 area as a walkable multi-use center that provides a range of options for people to live, work, shop and play.</li> </ul>
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## **PLANNING STAFF REVIEW**

### **• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Divides the property into four development areas (A, B, C, D). MUDD-O (mixed use development, optional) zoning is being requested for Areas A and B and MX-2(INNOV) (mixed use, innovative) is being requested for areas C and D. Details for each of these areas are provided below:
  - Area A:
    - Up to 26,000 square feet of retail, general and medical office uses, eating/drinking/entertainment establishments (EDEE), and personal services uses.

- A hotel with up to 180 rooms, which may be converted into an additional 22,000 square feet of retail, general and medical office uses, eating/ drinking/entertainment establishments (EDEE), and personal services uses.
  - Maximum building height of 95 feet.
- Area B:
  - Up to 425 residential dwelling units of all types
  - Up to 4,000 square feet of gross floor area of retail, general and medical office uses, eating/drinking/entertainment establishments (EDEE), and personal service uses.
  - The 4,000 square feet of non-residential uses will be located on Golf Links Drive or at the intersection of Golf Links Drive and Street # 1.
  - Maximum building height of 75 feet.
- Area C and D:
  - Up to 175 detached, attached (including duplex, triplex, and quadraplex) dwelling units.
  - Area D is limited to only single family detached dwelling units.
- Provides a number of transportation improvements most notably the extension of Golf Links Drive and Ardrey Kell Road, four additional network required street connections, and turn lanes on Providence Road. Access directly to the site from Providence Road through two right-in/out connections. Additional access to the site is provided through Waverly with stubbed future connections to undeveloped land east of the site.
- Provides a network of sidewalks that will connect buildings to one another, to the public and private streets, and to the future greenway along Six Mile Creek.
- Provides a number of architectural and design standards for development in Areas A and B, including specifying building materials, building orientation, and design guidelines specific to multi-family uses.
- Specifies that buildings along Ardrey Kell Road within Area C will front the road and parking, other than on-street parking, will not be allowed between the buildings and Ardrey Kell Road. Each building will have a door that provides access to Ardrey Kell Road.
- Provides the following setbacks and streetscape elements:
  - a 45-foot setback from the existing back of curb along Providence Road with an eight-foot sidewalk and minimum eight-foot planting strip,
  - a 22-foot setback along Golf Links Drive and Ardrey Kell Road with eight-foot planting strip, eight-foot sidewalk, and six-foot landscaped area,
  - a 20-foot setback with eight-foot planting strip, six-foot sidewalk, and six-foot landscaped area along Street #1 within Development Area A and B, and
  - a 14-foot setback with eight-foot planting strip and six-foot sidewalk along Streets #2 and #3.
- Dedication of 100-foot SWIM buffer along Six Mile Creek, upon approval of the first final plat for Development Area D, to Mecklenburg County for future greenway.
- Commits to pedestrian scale amenities in urban open spaces that are required by the ordinance.
- Proposes the following optional requests for the MUDD-O Areas:
  1. To allow maneuvering and circulation for accessory drive-through windows to occur between the proposed buildings within Development Area A and: (i) Providence Road and (ii) the internal public and/or private street #1, in the manner generally depicted on the Rezoning Plan.
  2. To allow up to two uses with accessory drive-through windows to be constructed on Development Area A as part of the development contemplated by the Rezoning Plan.
  3. To allow one detached ground mounted sign per public street front within Development Area A with a maximum height of 20 feet and containing up to 150 square feet of sign area.
  4. To allow one ground mounted detached sign per public street front within Development Area B with a maximum height of eight feet and containing up to 80 square feet of sign area.
  5. To allow each free standing building along Providence Road to have one sign up to five feet high with up to 36 square feet of sign area.
  6. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less, within Development Areas A. The sign area of the wall signs may be increased by 10% if individual letters are used.
  7. To not require doorways to be recessed into the face of the building(s) when the abutting sidewalk and amenity zone width is greater than 12 feet and to not require doorways to be recessed when the door way is not oriented to a public street (e.g. interior parking areas).
- Proposes the following Innovative Development Standards for the MX-2 Areas:
  1. A minimum lot size for single-family detached lots of 3,800 square feet.
  2. A minimum lot width for single-family detached lots of 35 feet, except for the Exterior Lots which will have a minimum lot width of 40 feet.
  3. A minimum side yard of 3.75 feet, only for lots that have vehicular access from an alley. (This standard may be modified as described below in section 2.II.b).

4. A minimum front setback of 10 feet as measured from the proposed right-of-way of public the streets, except along Ardrey Kell Road where a 22-foot setback as measured from the back of curb will be provided.
  5. A minimum rear yard of 20 feet.
  6. A maximum building height of 40 feet as measured at the side yard.
  7. The ability to allow single-family lots to front on private streets. Private streets will be built to public street standards and may not be gated.
- **Existing Zoning and Land Use**
    - The subject property is zoned R-3 (single family residential) and is undeveloped.
    - Property to the south of the subject site is zoned MUDD-O (mixed use development, optional) and is currently under construction for the Waverly multi-use development. The Rea Farms development, another large site in the area, is located across Providence Road and is zoned MUDD-O (mixed use development, optional) and MX-1 (mixed use) and is primarily undeveloped except the portion at the corner of Golf Links Drive and Providence Road is developed with financial institutions, office and personal service uses. The site at the southwest corner of Allison Woods Drive and Providence Road is zoned NS (neighborhood services) and developed with a financial institution.
    - Property to the north is zoned R-12MF(CD) (multi-family residential, conditional), NS (neighborhood services) and R-3(CD) (single family residential, conditional) and is undeveloped. Property to the east and southeast is zoned R-3 (single family residential) and is vacant or developed with single family homes.
    - See “Rezoning Map” for existing zoning in the area.
  - **Rezoning History in Area**
    - There have been two significantly rezonings in recent years. These are:
      - Petition 2013-085, located to the south of the subject property, rezoned 89.5 acres located on the east side of Providence Road at Golf Links Drive. This project is known as Waverly/Matthews Farm and the rezoning changed the districts from R-3 (single family residential) and R-3(CD) (single family residential, conditional) to MUDD-O (mixed use development, optional) and MX-2(INNOV) (mixed use, innovative) to allow a multi-use development that would permit up to 560,000 square feet of office and commercial land uses, a 150-room hotel and 561 dwelling units.
      - Petition 2015-022, located to the northwest of the subject property and across Providence Road, rezoned 194 acres located on the north side of Ardrey Kell Road near the intersection of Providence Road and Ardrey Kell Road. This project is known as Rea Farms/Golf Links and the recent rezoning changed the districts 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 multi-use development that would permit up to 954,000 square feet of office and retail uses, 265,000 square feet of financial institutions, 250,000 square feet of outdoor and indoor recreational uses, 700 residential units and 300 age restricted residential units.
  - **Public Plans and Policies**
    - The *Providence Road/I-485 Area Plan Update* (2000) recommends residential up to eight dwelling units per acre for Development Areas A, B, and C and residential up to four units per acre in Area D.
    - A Development Response for the northeast quadrant of the Providence Road/I-485 Interchange, in which the subject site is located, was completed in 2010 by the Planning Department. This study included the part of the Providence Road/I-485 Mixed Use Activity Center located in this quadrant of the interchange, as well as abutting Wedge areas. This effort was undertaken with input from area property owners, neighborhood representatives and other City departments but was not formally adopted as a policy by City Council.
    - The Development Response identified a potential development scenario and street network concept for the study area. The focus of the study was on creating a cohesive walkable district with a range of commercial and residential uses and an interconnected street network, while protecting environmental features and providing a range of open space opportunities. The results of the Development Response were used as one evaluation tool for the recently approved rezoning for the Waverly development.

## TRANSPORTATION CONSIDERATIONS

- Providence Road south of I-485 experiences significant congestion today. The new traffic expected to be generated by the recently approved Waverly and Golf Links developments will increase congestion in this area, even with the considerable transportation improvements that will be constructed by these developments. This site will add more traffic to Providence Road.

Although the rezoning proposal includes a commitment to add a right-turn lane onto the eastbound I-485 ramp, the overall congestion will be exacerbated on the Providence Road corridor. This is in part due to the lack of opportunities to provide traditional roadway improvements that can help mitigate the congestion. This site plan does propose an internal street network that builds upon the local street network being established by the Waverly and Golf Links developments, which will help provide circulation within the overall activity center and increase the likelihood that trips can be internalized without impacting Providence Road.

- This site also advances the completion of Ardrey Kell extension, which is a proposed minor thoroughfare that will help reduce congestion in the I-485 / Providence interchange area once it connects to Tilley Morris.
- This form of development continues the pattern in this area of organizing new development in a concentrated mix of uses, which is better than separating those same uses over greater distances, which would increase vehicle-miles-travelled.
- The Petitioner has agreed to CDOT's request to extend a sidewalk along the east side of Providence Road to connect to the existing sidewalks on the north side of I-485, and make necessary modifications to the intersections to accommodate pedestrians.
- See Outstanding Issues items 4 through 7.
- **Vehicle Trip Generation:**  
Current Zoning: 2,100 trips per day (R-3 with 217 single family detached dwelling units)  
Proposed Zoning: 8,100 trips per day

#### 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 132 students, while the development allowed under the proposed zoning will produce 113 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Engineering and Property Management:** See Outstanding Issue, item 11.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** See Outstanding Issue, item 9.

#### OUTSTANDING ISSUES

##### Land Use:

1. Reduce the number of units in Areas C and D to reflect the actual developable land, after environmental features have been identified for preservation.
2. Remove conversion allowance for hotel to convert to commercial uses. The inclusion of the conversion allowance removes a use that is important in providing a true mix of uses and also results in uncertainty related to the development concept for the site.
3. Set aside the northern portion of Area A for which there is no designated use as tree save or open space, and state that it will not be used for commercial development, or remove that area from the rezoning.

##### Transportation:

4. Remove proposed lane changes on the east leg of the Golf Links Drive and Providence Road intersection.
5. Retain the option of a future street connection to extend into the site from the existing service road adjacent to I-485. The intent is that this connection to Providence Road could be extended as properties continue to develop and the service road is no longer needed to serve parcels to the east.
6. Provide an additional 300 feet of storage to the northbound right-turn lane onto the eastbound I-485 ramp for a total of 600 feet of storage.
7. Provide a six-foot sidewalk along the east side of Providence Road to connect from the northern limit of the project to the sidewalk on the north side of the I-485 bridge. Sidewalks exist on the bridge.
8. Commit to the construction of the connection from Street #1 to Castleford Avenue in the abutting platted neighborhood to support street connectivity in the area.

##### Park and Recreation:

9. Amend Note 8.d to specify that the 100-foot SWIM buffer along the site's frontage of Six Mile Creek as indicated on the rezoning plan will be conveyed to Mecklenburg County for future greenway use upon the issuance of the first certificate of occupancy for the overall site, instead of with the first final plat for Area D.

Environment:

10. For Areas C and D, provide a site plan that shows a layout that does not disturb critical environmental features including water quality buffers, existing wetlands, and areas of steep slopes (20% or greater).
11. Show how right-of-way trees will be protected and provide a location or approach for addressing tree save requirement.

Site and Building Design:

12. Provide a design intent statement for the overall project to ensure that there is a clear understanding of the design concept for the site and to make it easier to administer the rezoning site plan during the permitting process.
13. Commit to provide at least 5% usable open space, in addition to buffers, tree save and setbacks, as this is a critical component of a pedestrian oriented multi-use center.
14. Identify retaining wall locations and their maximum heights along public streets to ensure that there are no tall retaining walls that negatively impact the pedestrian environment.
15. Amend Note 2.I.d for the optional provision to reduce the maximum height from eight to five feet and the size from 80 to 36 square feet, to be consistent with the standards for the abutting Waverly development.
16. Provide a statement that explains how the proposed innovative standards requested for the area to be zoned MX-2(INNOV) (mixed use, innovative) meet the intent of the district to provide innovative site design.
17. Provide a minimum six-foot sidewalk along internal public and private streets in Note 4.III.g
18. Amend Note 4.III.g to state that the connection to the future greenway along Six Mile Creek will occur with associated phasing of development or the construction of greenway whichever occurs first.
19. Amend Note 5.d to specify that buildings will be designed with "prominent doors" that provide access to adjoining streets, to support the development of a walkable community.
20. Provide triplex and quadraplex design standards to include garages setback at least 20 feet when facing Street #1 and #4, front porches and prominent entrances facing the public/private streets to encourage pedestrian activity and avoid conflicts between vehicles and pedestrians.
21. Amend Note 5.e to specifically prohibit garages accessed from Ardrey Kell Road to limit curb cuts along Ardrey Kell Road and to maintain smooth traffic flow.
22. Amend Note 5.h to prohibit above ground back flow preventers within setbacks to enhance the quality of the pedestrian environment.
23. Add a note committing to the size and massing of buildings as generally depicted on sheet RZ-2 for buildings to be located in Area B, to provide greater clarity related to the development concept and design.
24. Amend Note 6.c.i to specify that, for public streets and streets #1 through #3, at the street/pedestrian level, the maximum contiguous area without windows or doors shall not exceed five feet in height and 20 feet in length, to provide an interesting walking environment.
25. Amend note 7.a to provide a minimum 29-foot setback measured from the future back of curb along Providence Road to be consistent with the setback provided for the abutting Waverly development. Also, add that a minimum six-foot landscaped area will be provided behind the sidewalk.

**REQUESTED TECHNICAL REVISIONS**

1. Amend note 1.d to reduce the maximum number of buildings allowed in Area A from seven to five as depicted on Sheet RZ-2.
2. Amend Note 2.I.g by removing the words "and amenity zone" and include both public streets and Street #1.
3. Delete Note 2.II.a.vi related to the building height measurement in the MX(INNOV) (mixed use, innovative) area.
4. Amend note 3.c to say that the allowed non-residential use "shall" be: constructed within a building that also contains residential units, "or" as part of a leasing office for the residential community in a free-standing building. Amend the last sentence to say that the building with the non-residential square footage will be located either along Golf Links Drive "or" at the intersection of Golf Links Drive and Street #1.
5. Amend the second sentence of Note 4.III.d by adding "except as noted below."

6. Amend Note 4.III.f to read: "Minor modifications to the alignment of the internal vehicular circulation and driveways may be made by the Petitioner, with the approval of Planning and CDOT, to accommodate changes in traffic patterns, parking layouts, and any adjustments required for approval in accordance with published standards."
  7. Amend Note 6.c.i to change "primary and secondary streets" to public streets and streets #1 through #3 for buildings to be located in Area B. Remove the last sentence of the note.
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**Attachments Online at [www.rezoning.org](http://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
  - Transportation Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review

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