

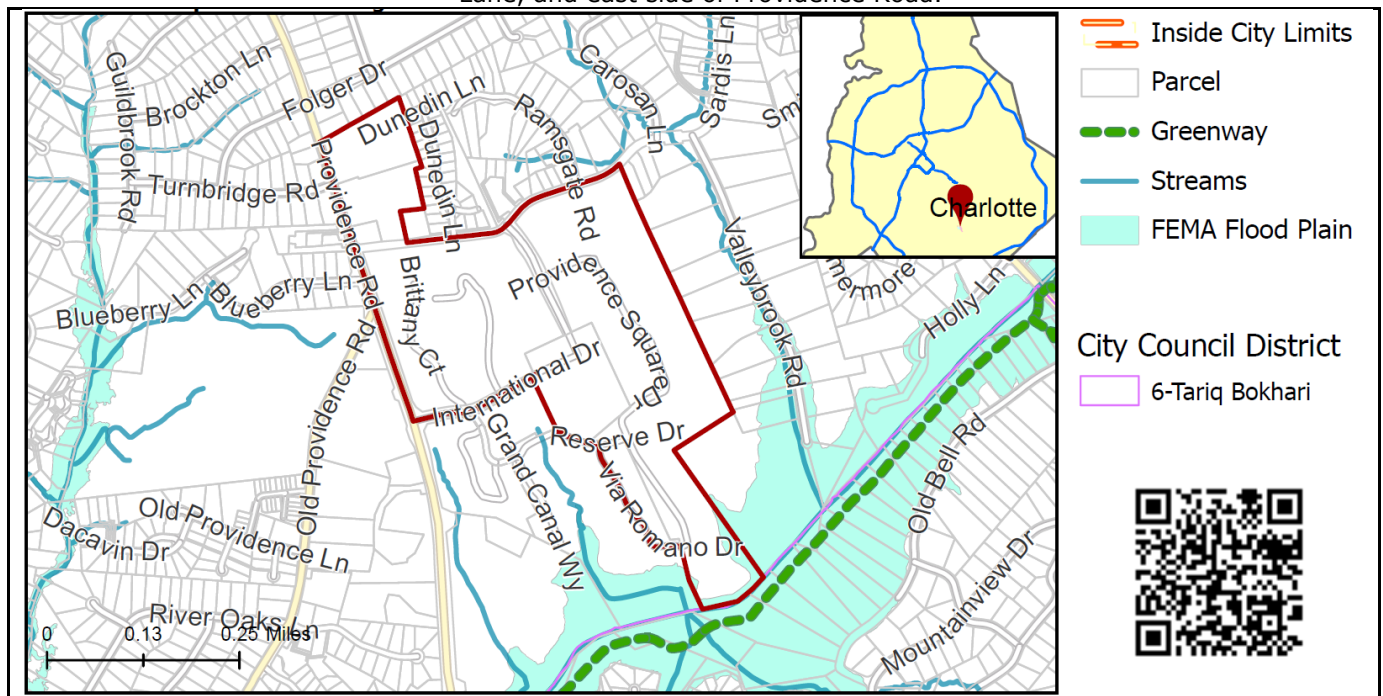
REQUEST

Current Zoning: N1-A (neighborhood – 1A), N2-B (neighborhood – 2B), R-20MF (multi-family), B-1SCD (neighborhood business shopping center district), and B-1(CD) (neighborhood business, conditional).

Proposed Zoning: UR-2 (urban residential – 2), MUDD(CD) (mixed-use development district, conditional), and MUDD-O (mixed-use development district, optional) with 5-years vested rights.

LOCATION

Approximately 84.16 acres located on the north and south side of Sardis Lane, and east side of Providence Road.



SUMMARY OF PETITION

The petition proposes a mixed-use development on parcels that are currently developed with multi-family, commercial, outdoor and indoor recreation.

PROPERTY OWNER

Galleria Partners III; Golden Triangle #5 Providence Square LLC c/o Levine Properties

PETITIONER

Levine Properties

AGENT/REPRESENTATIVE

Keith MacVean, Moore & Van Allen, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 66

STAFF RECOMMENDATION

Staff does not recommend approval of this petition in current form.

Plan Consistency

The petition contains 5 Development Areas. Area A – Option 1 is **consistent** with the 2040 Policy Map recommendation for Neighborhood 1. Area A – Option 2 **inconsistent** with the 2040 Policy Map recommendation for Neighborhood 1. Areas B and D are **inconsistent** with the 2040 Policy Map recommendation for Neighborhood 2. Area C is **inconsistent** with the 2040 Policy Map recommendation for Neighborhood Center. And Area E is **consistent** with the 2040 Policy Map recommendation for Neighborhood 2.

Rationale for Recommendation

- The proposed site plan contains 5 Development Areas: A, B, C, D, and E. The site plan proposes 2 potential development scenarios for Area A,

either a residential development made up of attached or detached single-family dwelling or an outdoor recreational facility. These distinctly different development options pose different land use outcomes with certain options aligning with the *2040 Policy Map* recommendations and others changing the recommendation. But the effect on the Policy Map could not be determined until the time of development.

- The proposed maximum building heights range up to 80 feet which, if built, would achieve an unprecedented scale of development for the Providence Road corridor.
- The proposed plan outlines multiple development options for Areas A and B as well as making allowances for transferring of development rights between Development Areas and the conversion of residential units to non-residential square footage and vice-versa. The plan should clearly outline the maximum development potential for each Development Area and the site as a whole.
- The plan makes specific reference to the existing development on the site, such as the number of existing dwelling units or non-residential square footage, in certain Development Areas but does not provide comprehensive data on the existing development. The total amount of existing development on site should be stated to better gauge the growth in intensity of the proposed project.
- While architectural and site design standards are provided for Development Areas A and B, these requirements are not proposed for Areas C, D, or E. As this plan proposes a rezoning to legacy zoning districts it should include a comprehensive set of architectural and design standards to ensure a cohesive, high quality product that better aligns to the *2040 Comprehensive Plan*.
- The Transportation Impact Study (TIS) has not yet been approved, therefore the current analysis does not include all traffic mitigations that may ultimately be required.
- Much of the site is made up of a low density, mixed-use development built in the late 1960s/early 1970s consisting of several hundred garden-style apartments and a shopping center at the core of the site that once contained a full-service grocery store. This site, along with two other nearby rezonings, petition 2023-023 and 2023-039, represent a potential shift in the Providence/Old Providence Road area. Replacing much of the aging auto-centric apartments and dated retail development with a walkable 10-minute neighborhood that better utilizes land on this major corridor.
- The proposed plan could create a variety of housing that may include rehabilitation of existing garden-style apartments, single-family attached and detached, and multi-family units as well as building a commercial center that would create a new 10-minute neighborhood with walkable amenities.
- The plan includes provisions for workforce housing attainable to households making 80% or less of the area median income (AMI) to be persevered for a minimum of 15 years.
- The Plan propose to dedicate a 2.5 acre park to Mecklenburg County Park and Recreation as well as providing an access easement from the site to the McAlpine Creek Greenway and constructing an 12-foot shared use path and access bridge.
- The plan commits to provide substantial landscape buffers adjacent to surrounding single-family development mitigating potential adverse impacts caused by the increase intensity of the development.
- The petition will also construct a 12-foot multi-use path and 8-foot planting strip along the site's frontage on Providence Road and improve sidewalk facilities and planting strip on other street adjacent to the site, greatly enhancing the pedestrian experience in the area.
- The site is served by the number 14 CATS local buses providing service between the Charlotte Transit Center and the Arboretum Shopping Center. As well as the 61X express bus providing commuter service between the Charlotte Transportation Center and the Waverly Shopping Center.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods

- 2: Neighborhood Diversity & Inclusion
- 4: Trail & Transit Oriented Development
- 5: Safe & Equitable Mobility
- 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, for Development Area A – Option 2 from Neighborhood 1 to Neighborhood 2. Areas B and D from Neighborhood 2 to Community Activity Center. And Area C from Neighborhood Center to Community Activity Center.

PLANNING STAFF REVIEW

• Proposed Request Details

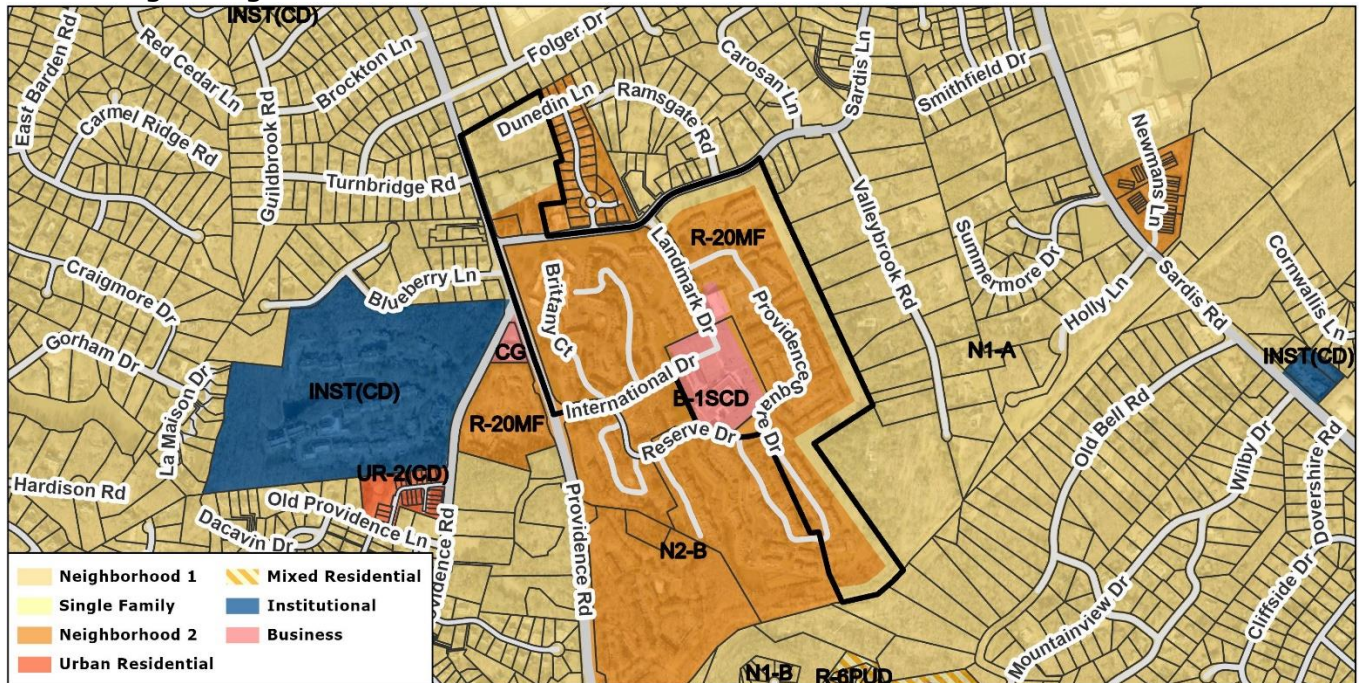
The site plan accompanying this petition contains the following provisions:

- Proposes to allow up to 1,113 residential dwelling units and up to 357,740 square feet of non-residential square footage, along with the option for outdoor recreational facilities.
- The site is divided into 5 Development Areas: A, B, C, D, and E. which would allow the following development:
 - Development Area A: Up to 125 attached or detached dwelling units; or outdoor recreational uses associated with a school, institution, or civic uses, as permitted in the MUDD zoning district.
 - Development Area B: Up to 725 dwelling units and up to 225,000 square feet of non-residential uses permitted in the MUDD zoning district.
 - Development Area C allows the following: Up to 92,740 square feet of non-residential uses as permitted in the MUDD zoning district.
 - Development Area D: Up to 40,000 square feet of indoor recreation uses and large childcare center as permitted in the MUDD zoning district.
 - Development Area E: up to 263 dwelling units as allowed in the UR-2 zoning district.
- Proposes to allow the transfer of development rights between development areas as follows:
 - Up to 125 dwelling units from Area A to Area E.
 - Up to 150 dwelling units from Area B to Area E.
 - Up to 15,000 square feet of non-residential floor area from Area C to Area D.
- Maximum development with utilization of transfer rights are as follows:
 - Development Area D: up to 55,000 square feet (with the transfer of 15,000 square feet from Area C.)
 - Development Area E: Up to 538 dwelling units (with the transfer of 125 dwelling units from Area A and up to 150 dwelling units from Area B.)
- Proposes to allow conversion of development rights between residential dwelling units and non-residential square footage, and vice-versa, as follows:
 - Non-residential square footage may be converted to residential dwelling units at a rate of 500 square feet per 1 dwelling unit for a maximum of 50 dwelling units.
 - Additional dwelling units may be added to Development Areas A (if developed with residential), B, and E.
 - Residential dwelling units may be converted into non-residential floor area at a rate of 1 dwelling unit for 500 square feet of non-residential floor area for a maximum of 25,000 square feet.
 - Additional non-residential square footage may be added to Development Areas B, C, and D.
- Proposes preservation of workforce housing as follows:
 - Shall provide a minimum of 108 dwelling units within Development Area E with monthly rents obtainable and restricted to households with incomes at or below 80% of area median income (AMI) for a period of no less than 15 years beginning at the issuance of the final certificate of occupancy (CO) of the workforce housing units.
- The plan prohibits the following uses: gasoline service stations, convenience stores with gasoline sales, automobile repair garages, and EDEE with accessory drive-through service.
- Requests the following optional provisions:
 - Allow parking, loading areas, and maneuvering between the building and street in Development Areas B, C, and D along Providence Road, Landmark Drive, International Drive, and the existing and realigned Sardis Lane.
 - A 9-foot landscape strip will be provided between the back-of-sidewalk and edges of parking area landscaped with a variety of materials where parking and maneuvering areas are located between the building and the street.

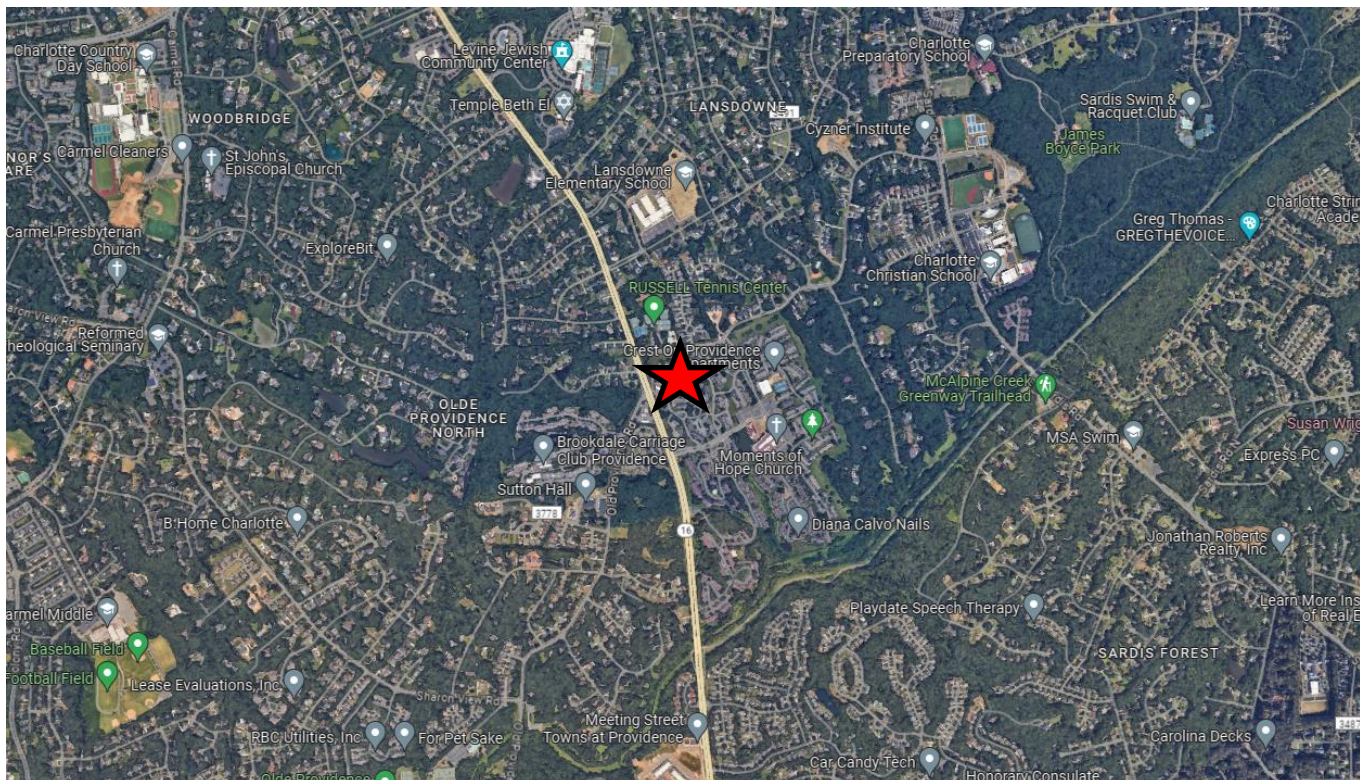
- An 8-foot decorative masonry screening wall will be provided where loading docks/service areas are located between the building and the streets.
- Allow existing and new parking/maneuvering areas to be located between existing buildings and new public streets within Development areas C and D.
- Allow existing and new buildings within Development Areas C and D to not meet the blank wall requirements of the Ordinance.
- To not require screening of existing parking area within Development Areas C and D when uses area changed or expanded.
- These optional provisions will not exempt existing parking areas from compliance with the Tree Ordinance.
- Proposes the following architectural provisions:
 - Maximum building heights are as follows: 48 feet in Development Area A, 80 feet in Area B, 65 feet in Area C, 60 feet in Area D, and 65 feet in Area E.
 - Primary exterior building materials in Areas A and B will consist of the following: glass, brick, stone (or synthetic equivalents), precast concrete, stucco, metal, cementitious siding, EIFS, or wood. Roofing may consist of architectural asphalt shingles and metal.
 - Aluminum and vinyl will be limited to windows, soffits, railing, trim, etc.
 - Non-residential and mixed-use buildings within Development Area B will comply with the following architectural and design standards:
 - Build-to zones shall be 0-20 feet along public or private streets with identified building edges shown on the site plan. Minimum build-to percentages in this zone will be 60%. Minimum length as a percentage of lot width in these areas will be 50% on the first street frontage and 30% on the second. Maximum building length along identified building edges will be 600 feet.
 - Minimum ground floor height at identified building edges will be 14 feet for a minimum of 70% of the ground floor area. Minimum ground floor transparency will be 50% and upper floor transparency will be 15%.
 - Each building with identified building edges will have at least 1 entrance per street frontage and prominent building entry spacing will be a maximum of 250 feet. With direct pedestrian connections to the sidewalk. Prominent entrances will include at least two of the following:
 - Chamfered or rounded corner design, awnings/canopies, special paving/landscaping/lighting, unique architectural detailing.
 - Pedestrian oriented ground floors are encouraged to include arcades, galleries, colonnades, outdoor dining, and plazas. Such features will be included in minimum build-to percentages.
 - Multi-family buildings within Development Area B will comply with the following architectural and design standards:
 - Build-to zones shall be 0-20 feet along public or private streets with identified building edges shown on the site plan. Minimum build-to percentages in this zone will be 60%. Minimum length as a percentage of lot width in these areas will be 50% on the first street frontage and 30% on the second. Maximum building length along identified building edges will be 600 feet.
 - Minimum ground floor height at identified building edges will be 10 feet for a minimum of 30% of the ground floor area. Minimum ground floor transparency will be 25% and upper floor transparency will be 15%.
 - Each building with identified building edges will have at least 1 entrance per street frontage and prominent building entry spacing will be a maximum of 250 feet. With direct pedestrian connections to the sidewalk. Prominent entrances will include at least two of the following:
 - Chamfered or rounded corner design, awnings/canopies, special paving/landscaping/lighting, unique architectural detailing.
 - Pedestrian oriented ground floors are encouraged to include arcades, galleries, colonnades, outdoor dining, and plazas. Such features will be included in minimum build-to percentages.
 - Attached residential dwellings within Development Area A will comply with the following architectural and design standards:
 - All entrances within 10 feet of the sidewalk will be raised a minimum of 24 inches.
 - Pitched roofs, if provided, will have a minimum slope of 5:12 while porches and sheds will have a minimum slope of 2:12.
 - Townhomes built along network required streets shall front those streets.
 - Front elevations will have a minimum blank wall expanse of 10 feet.
 - All corner/end units fronting network required streets will have architectural elements that wrap around the side with maximum blank wall expanses of 20 feet.

- Townhouse buildings will be limited to no greater than 6 units.
- Proposes the following transportation improvements:
 - Transportation improvements will be coordinated with the petitioners of rezonings 2023-023 and 2023-039.
 - All transportation improvements will be substantially completed and approved by NCDOT and/or CDOT prior to the issuance of the first CO for the applicable phase of development; Phase 1, 2, or 3.
 - Required right-of-way will be conveyed to NCDOT and/or CDOT where applicable. Where necessary right-of-way is not able to be obtained through commercial means, the petitioner will reimburse NCDOT and/or CDOT for any necessary right-of-way acquisition. Required rights-of-way shall be dedicated prior to the issuance of the first CO for the applicable phase of development.
 - The petitioner will dedicate 55 feet of right-of-way on Providence Road and 40 feet of right-of-way on Sardis Lane as measured from the centerline.
 - Possible TIS improvements are outlined in Attachment A contain within the rezoning plans and include improvements to many intersections along Providence Road, Old Providence Road, and other intersections and roads in the vicinity of the site. These improvements include, but are not limited to the following types:
 - Construction of left turn lanes, right turn lanes, through lanes, signalization of certain intersections, reconfiguration of certain intersections to right-in/right-out, left-in, or left-in/left-out, left-overs configuration.
 - Pedestrian improvements such as: reconstruction of sidewalks, sidewalk ramps, installation of pedestrian signals and push buttons.
 - The petitioner will construct a public/private street network as generally depicted on the site plan. All streets will be built to public standards and private street will have public access easements.
- Proposes the following streetscape and landscaping requirements:
 - A 12-foot multi-use path and 8-foot planting strip will be constructed along the site's frontage with Providence Road.
 - A 6-foot sidewalk and 8-foot-planting strip will be constructed along the site's frontages on Sardis Lane and International Drive.
 - Proposed setbacks are as follows: 22-feet, as measured from back-of-curb along Providence Road in Development Areas A and B (applies to new buildings only), 16-feet from back-of-curb along Sardis Lane in Areas A and B, 100-feet from future back-of-curb along Sardis Lane in Development Area E, 16-feet from back-of-curb along Landmark Drive, International Drive, and all new network required streets. And 16-feet from back-of-curb on all new internal private streets.
 - If parking and Maneuvering areas are located between the building and street, a 9 -foot landscape strip will be provided. If loading docks are located between the building and the street, a decorative masonry wall a minimum of 8-feet in height will be required.
 - Development Area A will provide a 40-foot side/rear yard including a 30-foot Class C Buffer.
 - Development Area E will provide a 100-foot landscaped open space area along the norther/eastern property boundaries except where access to greenway trail is located. In the greenway access area, a 70-foot landscape yard will be provided along the eastern property boundary and a 30-foot landscape yard along the greenway access trail.
- Proposes the following open space standards:
 - Within Development Area B several amenitized open space areas will be provided totaling a minimum of 5,000 square feet.
 - Within Development Area C several amenitized open space areas will be provided totaling a minimum of 2,500 square feet.
 - In Development Area A (if developed with residential units) a minimum of 2,500 square feet of amenitized will be provided.
 - Within Development Area E a minimum of 5,000 square feet of amenitized open space will be provided. Proposed open space areas in Development Area E will include walking paths, landscaping, seating area, and structures appropriate for open space.
- Proposes the following dedications to Mecklenburg County Park and Recreation:
 - A 30-foot landscaped area with an access easement to Mecklenburg County as part of a 100-foot open space area on the eastern boundary of Development Area E.
 - Construction of a 12-foot shared use path providing access to McAlpine Creek Greenway.
 - Construction of a bridge for the connection to the McAlpine Creek Greenway built in coordination with Mecklenburg County of Park and Recreation and the petitioners of rezoning 2023-023 and 2023-039.
 - Dedication of a 2.5 acre public park within Development Area E.

• Existing Zoning



The majority of the site's acreage, primarily with frontage along Providence Road, is zoned N2-B (neighborhood 2). An area at the center of the site located near the intersection of International and Landmark Drive is zoned B-1SCD and B-1(CD) (business districts). The eastern portion of the site located along the alignment of Providence Square Drive South of Sardis Lane is zoned R-20MF (multi-family). The remaining portions of the site at the far eastern, northern, and southern extremities are zoned N1-A (neighborhood 1).



The site (indicated by red star above) is located on the north and south side of Sardis Lane, and east side of Providence Road.



View of the site looking north from the intersection of Providence Road and International Drive. The site is developed with garden-style apartments, commercial space, and outdoor recreation facilities.



View of the site looking north from the intersection of Providence Road and Sardis Lane. This portion of the site contains outdoor recreation facilities and vacant land.



View of the commercial portion of the site from International Drive. The site contains approximate 49,000 square feet of existing commercial development.



View of the site looking south from Sardis Lane. The majority of the site is developed as garden-style multi-family dwellings.



View of an existing gas station located at the intersection of Providence Road and Old Providence Road west of the site.



View of the Gladedale Apartments located between Providence Road and Old Providence Road at the intersection of International Drive west of the site. This development is currently in the rezoning process, petition 2023-023.



View of a wooded property located between Providence Road and Old Providence Road, southwest of the site. This property is currently in the rezoning process, petition 2023-039.

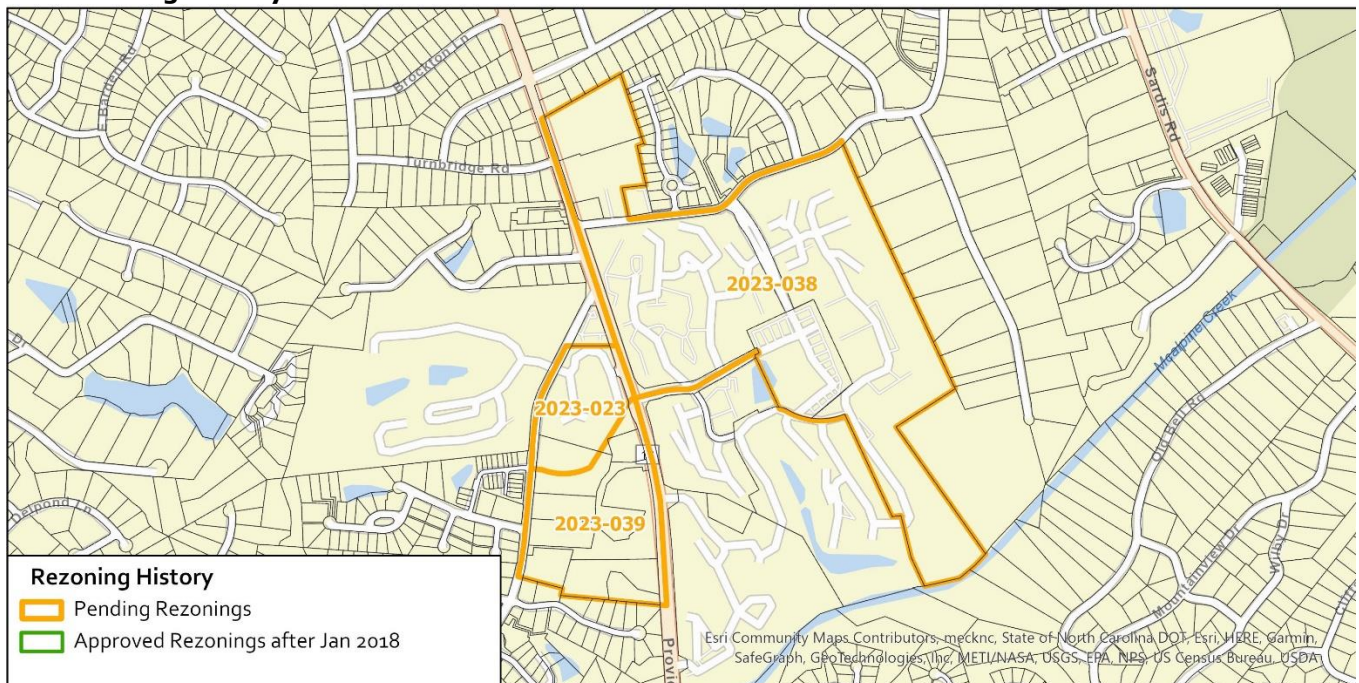


View of the Charlotte Fire Department Station number 19 on Sardis Lane, located adjacent to the site.



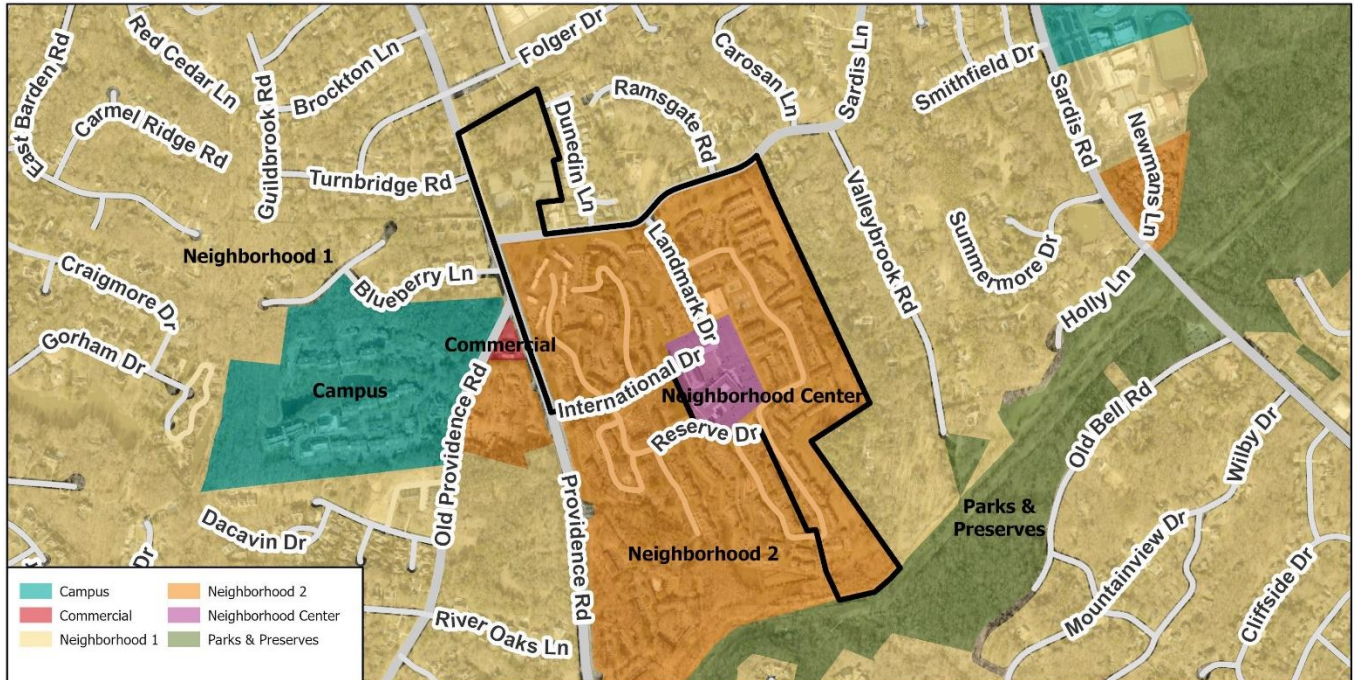
View of the Dunedin Development off Sardis Lane located to the northeast of the site containing single-family detached dwellings.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2023-023	8.55 acres located on the east side of Old Providence Road and west side of Providence Road, north of River Oaks Lane. From R-20MF to MUDD-O.	Pending
2023-039	20.12 acres bound by the east side of Old Providence Road and west side of Providence Road, north of River Oaks Lane. From N1-A to MUDD-O.	Pending

• Public Plans and Policies



- The 2040 Policy Map (2022) calls for the Neighborhood 1, Neighborhood 2, and Neighborhood Center Place Types for this site.
- **TRANSPORTATION SUMMARY**
 - The site is located adjacent to Providence Road, a State-maintained major arterial, south of Folger Drive, a City-maintained minor collector. A Traffic Impact Study (TIS) is required due to the site exceeding 2,500 trips. The scope for the TIS has been approved on June 8, 2023. A revised TIS was resubmitted on February 21, 2024 and is currently under review. Finalization of the TIS and required mitigations are needed.
- **Active Projects:**
 - Active Rezoning 2023-023 Horizon Old Providence
 - Active Rezoning 2023-039 Northwood Raven
 - CIP: Sardis Lane Bridge Replacement (further down Sardis Lane, not touching the property lines)
 - Project ID: PM51215036
 - Project Description: This project will replace the bridge on Sardis Lane over the creek, between Carosan Lane and Valleybrook Road.
 - Project Type: Road Construction
 - Project Phase: Complete in 2022
- **Transportation Considerations**
 - See Outstanding Issues, Notes 1 – 2.
- **Vehicle Trip Generation:**

Current Zoning: N1-A, N2-B, R-20MF, B-1SCD, B-1(CD).
Existing Use: 7,135 trips per day (based on 12 courts, 1 dwelling units, 473, dwelling units, 26,400 sq.ft., 48,670 sq.ft.).
Entitlement: 5,385 trips per day (based on 29 dwelling units, 310 dwelling units, 80,500 sq.ft.).
Proposed Zoning: UR-2, MUDD(CD), MUDD-O. 20,060 trips per day (based on 725 dwelling units, 80,000 sq.ft., 100,000 sq.ft., 28,000 sq.ft., 30,000 sq.ft.).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at www.rezoning.org
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.

- **Charlotte-Mecklenburg Schools:** Development allowed with the proposed zoning may produce 291 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Lansdowne Elementary from 76% to 93%
 - McClintock Middle from 119% to 124%
 - East Mecklenburg High from 89% to 91%.
- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Providence Rd, an existing 8-inch water distribution main located along Sardis Rd and an 8-inch water distribution main located along International Dr. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Providence Rd and an existing 8-inch gravity sewer main located inside parcel 18733101. See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Long Range Planning:** See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** See advisory comments at www.rezoning.org
- **Stormwater Services Land Development Engineering:** See Outstanding Issues, Note 4.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 5.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. A Traffic Impact Study is required for the complete review of this petition due to the site generating more than 2,500 daily trips and/or triggering other City TIS requirements. Additionally, this petition is coordinating to study the roadway network in conjunction with other ongoing projects in the immediate area. The overall study may have impacts on the improvements this project may be required to do.
2. Update conditional notes as specified in CDOT memo.
3. Clarify if improvements will be made to existing bus stops adjacent to the site.

Environment

4. Stormwater: Address open conditions in Accela Plan Room relating to storm water quality treatment, volume and peak control.
5. Urban Forestry: Show required 15% minimum tree save area on site plan.

Site and Building Design

6. Reduce maximum building height for non-residential, mixed-use, and multi-family buildings to 65 feet. Reduce maximum height of single-family attached and detached buildings to 48 feet.
7. Clearly state on the site plan the maximum development potential including maximum number of dwelling units, non-residential square footage, and outdoor recreational facilities. Including all transferable rights between Development Areas and conversion rights.
8. Specify all existing development on site including number of dwelling units, non-residential square footage, and outdoor recreational facilities.
9. Specify one development option for Development Area A.
10. Specify one development option for Development Area B.
11. If multiple development options for Development Areas A and B are to remain, provide clear guidance on what triggers one of the two options to move forward.
12. Clearly show proposed layout of Development Areas C and D.
13. Provide architectural and design standards for Development Areas C, D, and E that align with UDO and 2040 Comprehensive Plan recommendations.
14. Commit to a minimum sidewalk width of 8 feet for all public and network required private streets (other than Providence Road which will have a 12-foot MUP).