

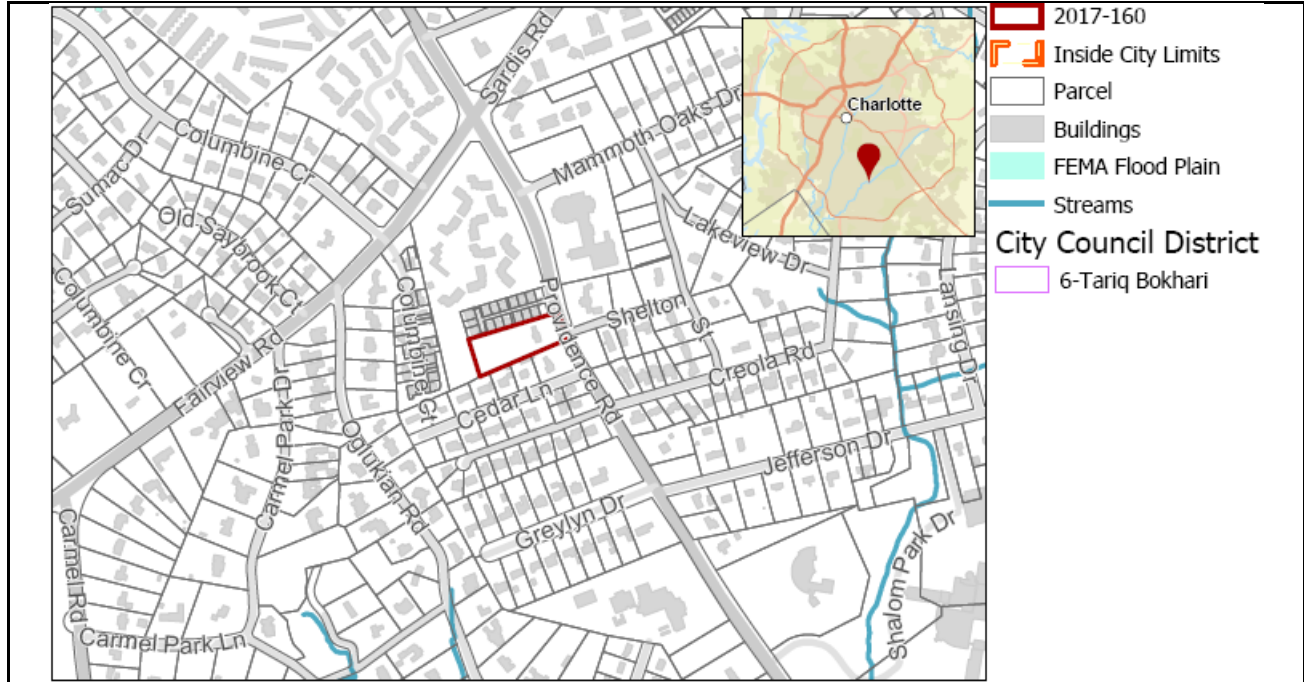
**REQUEST**

Current Zoning: R-3 (single family residential)

Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights

**LOCATION**

Approximately 2.08 acres located on the west side of Providence Road, south of Fairview Road.  
 (Council District 6 – Bokhari)



**SUMMARY OF PETITION**

The petition proposes redevelop a parcel with an existing single family home for up to 14 townhome dwelling units along Providence Road south of Strawberry Hill.

**PROPERTY OWNER**

Joseph R and Christine S. Rotunda

**PETITIONER**

Madison Simmons Homes and Communities, LLC

**AGENT/REPRESENTATIVE**

Sonny Crater

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 6.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *South District Plan* recommendation for residential use, and the proposed density of 6.73 units per acre meets criteria in the *General Development Policies* for development at up to eight dwellings per acre.

Rationale for Recommendation

- The subject property is situated between townhomes and multi-family development to the north and single family residential to the south.
- The petition limits the number of townhome units to 14 and the density to 6.73 units per acre, consistent with the *General Development Policies*.
- The rezoning will allow the property to serve as a transition

between the more intense institutional and single family attached uses to adjacent detached single family uses through the following:

- Establishment of a 42-foot setback from the future back-of-curb along Providence Road.
- Commitment for a 10-foot buffer with a six-foot tall wall from single family residential homes within the rear and side yards.
- Height limitation to two stories and 40 feet, consistent with limits in the adjoining single family neighborhood.
- Architectural standards for the proposed units address building materials, raised foundations, windows, doors, roofing materials, and roof pitches and include proposed building elevations.

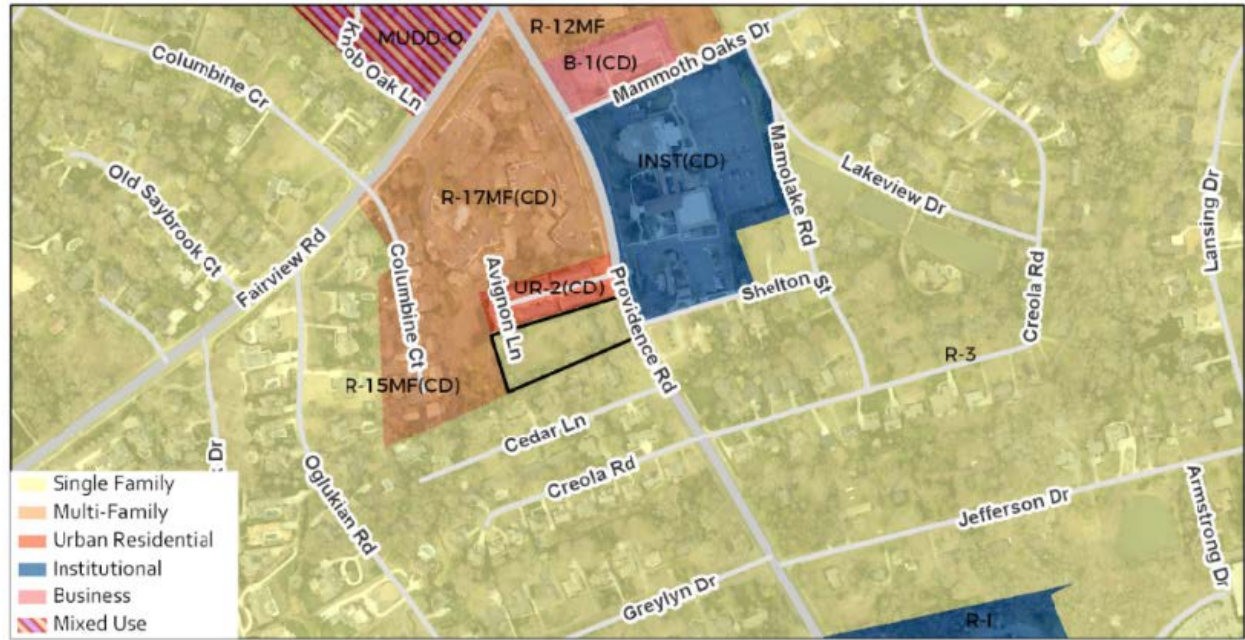
## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

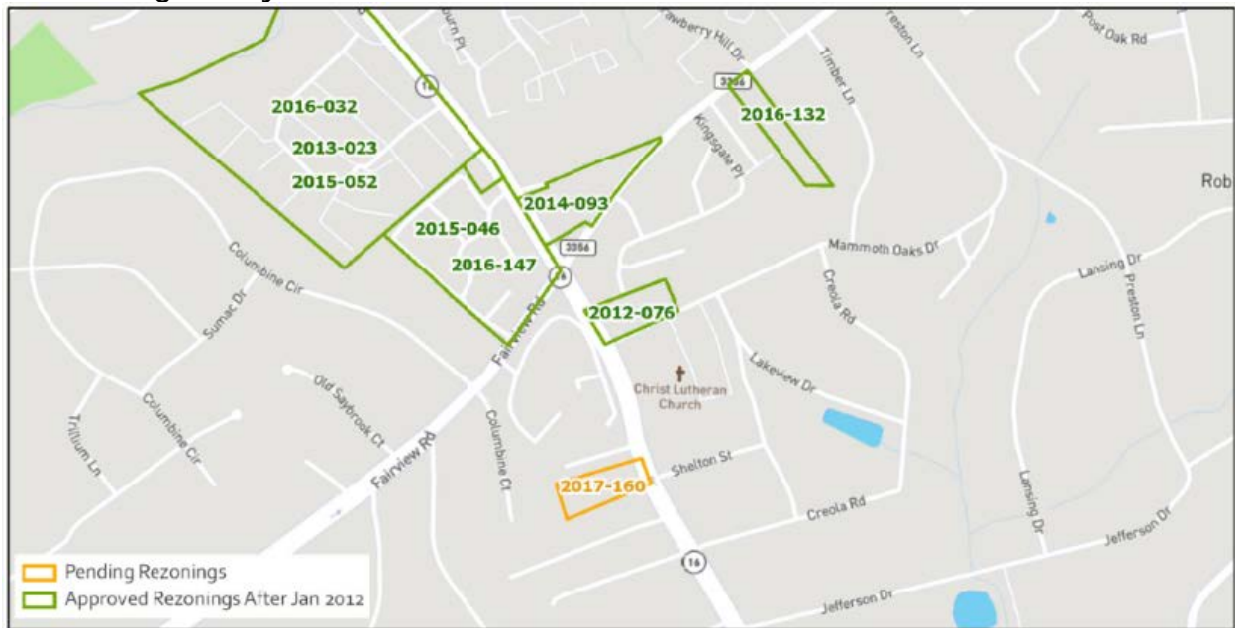
- Allows up to 14 single family attached, townhome dwelling units oriented along a central shared driveway designed as a woonerf. A woonerf is designed to accommodate access for cars, bicycles, and pedestrians through the use a varied pavers and flush transitions between areas for vehicles and pedestrians.
- Provides a five-foot pedestrian walk designated with decorative pavers within the woonerf.
- Limits the maximum building height to 40 feet and two stories.
- Provides for a future bike lane and a six-foot sidewalk and eight-foot planting strip along the site frontage of Providence Road.
- Commits to install a northbound left-turn lane from Providence Road into the site with final design to be coordinated with CDOT and NCDOT during construction permitting.
- Establishes ten-foot yards along the northern and southern property lines and 25-foot yard along the western property line. Commits to a ten-foot Class C type buffer with a six-foot tall wall within the a portion of the ten-foot yard along the southern property line.
- ~~Commits to remove any existing dead or diseased landscaping along the existing wall on the site's northern property line and Agrees to install evergreen shrubs and/or trees at a minimum installation height of six feet and minimum eight feet in height at maturity.~~
- Commits to provide an evergreen hedge within the 10-foot yard along the site's northern property line. The hedge shall consist of large shrubs or small trees planted approximately ten feet on center and which will maintain a minimum of ten feet in height at time of maturity. The hedge will be planted on private lots and within a landscape easement. The homeowners association shall be responsible for the maintenance and upkeep of the plantings and hedge. Property owners will be prohibited from removing the plantings or topping and materially trimming/pruning portions of the plants which extend above the existing adjacent brick wall.
- Provides a number of architectural commitments related to building materials, roofing types, roof pitches, doors, windows and raised foundations.
- Includes proposed building elevations.
- Limits the height of detached lighting to 15 feet.

• **Existing Zoning and Land Use**



- The subject property is zoned R-3 (single family residential) and is developed with one single family home.
- To the north, and west are townhomes and multi-family dwellings. To the south are single family homes. To the east across Providence Road is a religious institution.

• **Rezoning History in Area**

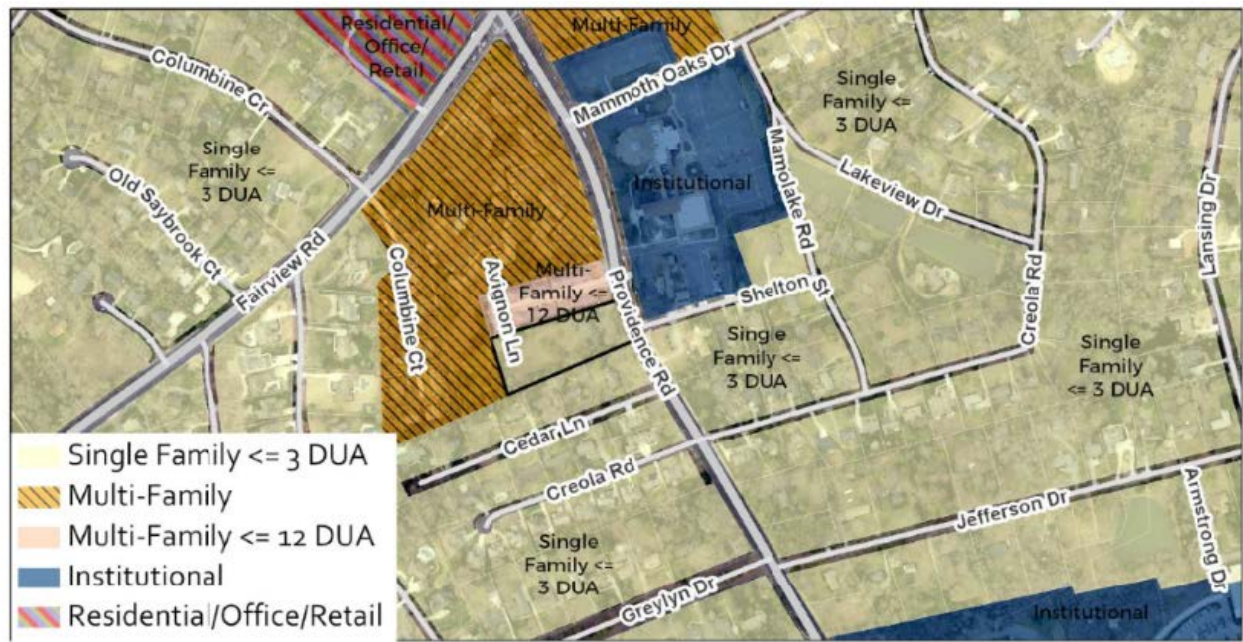


Petition Number	Summary of Petition	Status
2012-076	Rezoned 1.66 acres from INST(CD) (institutional, conditional) to B-1(CD) (neighborhood business, conditional) to allow additional parking for a church.	Approved
2013-023	Rezoned 36.10 acres from R-12MF (multi-family) to R-17MF(CD) (multi-family, conditional) to allow redevelopment of multi-family units with 580 new multi-family units.	Approved
2014-093	Rezoned 3.15 acres from O-15(CD) (office, conditional) to MUDD-O (mixed use development, optional) to allow up to 35,000 square feet of commercial floor area in up to five buildings.	Approved



2015-046	Rezoned 10.70 acres from R-12MF (multi-family) and B-1(CD) (neighborhood business, conditional) to MUDD-O (mixed used development, optional) to allow the redevelopment of the site with a mix of residential and retail uses.	Approved
2015-052	Site plan amendment for 36.10 acres to R-17MF(CD) SPA (multi-family, conditional, site plan amendment) to modify the layout of the proposed redevelopment.	Approved
2016-032	Rezoned 36.10 acres from R-17MF (CD) SPA (multi-family, conditional, site plan amendment) to MUDD-O (mixed use development, optional) to allow up to 580 multi-family dwelling units in two phases.	Approved
2016-132	Rezoned 2.01 acres from R-3 (single family residential) to UR-2(CD) (urban residential, conditional) to allow up to 16 single family attached, townhome, dwelling units.	Approved
2016-147	Site plan amendment for 10.8 acres zoned MUDD-O SPA (mixed use development, optional, site plan amendment) to allow up to 95,000 square feet of gross floor area devoted to retail, EDEE, general and medical office uses and personal service uses and up to 201 residential dwelling units and up to 135,000 square feet of floor area of self-storage uses.	Approved

• **Public Plans and Policies**



- The *South District Plan* (1993) recommends residential uses at a density of up to three dwellings per acre.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the General Development Policies locational criteria for consideration of up to the eight dwellings per acre requested as illustrated in the table below.

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1 – yes
Sewer and Water Availability	2 – yes
Land Use Accessibility	3 – High
Connectivity Analysis	2 – Medium low
Road Network Evaluation	0 – no
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 11</b>	<b>Total Points: 12</b>

- **TRANSPORTATION CONSIDERATIONS**

- This site is located south of the signalized intersection of major thoroughfares. The site plan commits to standard planting strip and sidewalk with a note to coordinate with the City's sidewalk project along the site's frontage.
- See Outstanding Issues, Note 2 and 3.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 10 trips per day (based on one single family dwelling).
    - Entitlement: 70 trips per day (based on five single family dwellings).
  - Proposed Zoning: 120 trips per day (based on 14 townhome dwellings).

**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. 150 feet access required to all exterior walls.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate four students, while the development allowed under the proposed zoning will produce two students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is two students.
  - The proposed development is not projected to increase the school utilization (without mobile classroom units) at the following schools:
    - Sharon Elementary at 154%
    - Carmel Middle at 108%
    - Myers Park High at 114%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing eight-inch water distribution main located along Providence Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Providence Road.
- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets (Providence Road) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right-of-way. Per the Tree Ordinance, "a continuous perimeter planting strip, located between the street and sidewalk, with a minimum width of eight feet, shall be required." A five-foot planting strip is not permitted per the Tree Ordinance. Update Development Standards E. 1. to reflect this requirement. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight (8) inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
  - **Erosion Control:** No issues.
  - **Land Development:** See outstanding issue note 4.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** Site is in a wedge and will be required to provide 15% tree save area based on gross acreage. 15% of 2.08 acres = 0.312 acres tree save. Show calculations on site plan. Tree save must contain existing healthy tree canopy. Tree save must be 30 feet width minimum. Show tree save area on site map.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**OUTSTANDING ISSUES**

Site and Building Design

1. ~~Extend the "Class C" buffer and wall along the southern property line behind units 13 and 14.~~  
Addressed.

Transportation

2. ~~Revise the site plan and conditional note(s) to show a left turn lane into site.~~ Addressed.

3. ~~Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ Addressed.

Environment

4. ~~Add the following note to the site plan: "The petitioner shall analyze the adequacy of the existing stormwater conveyance between the site and Cedar Lane. If the existing stormwater conveyance in this area is found to be inadequate, the Petitioner shall make a good faith effort with the property owner(s) to improve the stormwater conveyance or mitigate the stormwater discharge onto the adjoining parcels."~~ Addressed.

**REQUESTED TECHNICAL REVISIONS**

Land Use

5. ~~Provide an amended rezoning application removing requested five-year vested rights.~~ Addressed.

---

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing staff analysis
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - 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