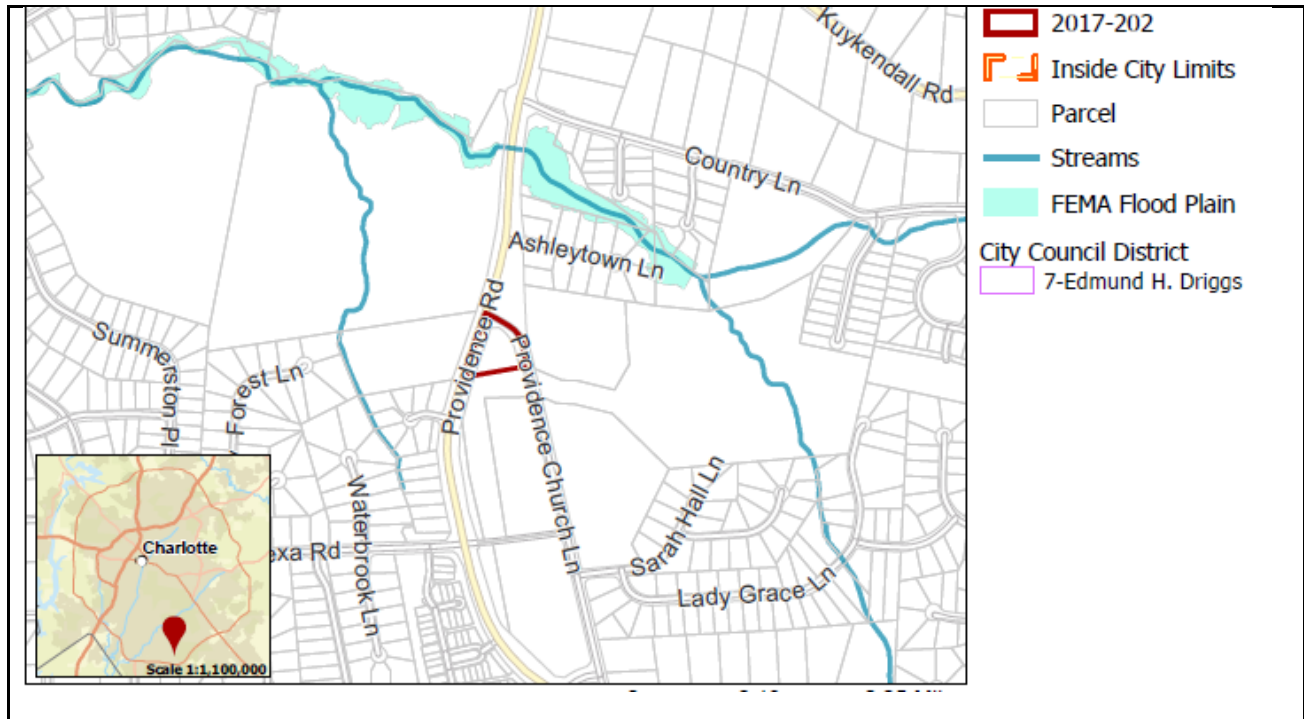


**REQUEST**

Current Zoning: R-3 (single family residential)  
 Proposed Zoning: UR-2(CD) (urban residential, conditional) with five-year vested rights

**LOCATION**

Approximately 0.83 acres located at the intersection of Providence Road and Providence Church Road, north of Ballantyne Commons Parkway.  
 (Council District 7 - Driggs)



**SUMMARY OF PETITION**

The petition proposes the development of five townhomes on a vacant parcel between Charlotte Latin School and Providence Presbyterian Church.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Charlotte Latin Schools  
 Sinacori Builders, LLC  
 Walter Fields

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 38.

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the residential land use recommendation of the *Providence Road/I-485 Area Plan Update*, but slightly exceeds the density recommendation of up to four units per acre.

Rationale for Recommendation

- The rezoning site plan limits the total number of units to five for a density of 6.02 units per acre.
- The site is a small, oddly shaped triangular parcel located at the intersection of a major thoroughfare and local street making it not conducive to single family development at four units to the acre as recommended by the area plan.

- Under the density recommended in the plan, up to three residential units could be built on the site. The proposal would allow only two additional units.
- Although the site is surrounded by residential zoning and the general area is single family in character the site is isolated from single family neighborhoods by institutional uses including, Charlotte Latin School, Providence Presbyterian Church and Providence Spring Elementary so that the site is not directly adjacent to or abutting single family uses.
- Integrates the buildings with the surrounding institutional uses and residential character of the area by providing:
  - architectural standards related to roof, blank walls, and garages;
  - a larger setback along Providence Road and tree save and open space areas around the perimeter of the site; and
  - building height limited to ~~two~~ three stories.

### PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the construction of up to five single family attached, townhomes with a total density of 6.02 units per acre.
- Proposes access via a single, shared driveway in a woonerf design off Providence Church Lane with a two unit building on one side and a three unit building on the other. Provides landscaping at the end of the woonerf to screen it from Providence Road. A woonerf is a facility that accommodates vehicles, bicycles and pedestrians and is paved with varied decorative pavers to distinguish vehicle and pedestrian zones.
- Limits the maximum building height to ~~two~~ three stories.
- Commits to a minimum of five visitor parking spaces on the site. Each unit will have two spaces in front of a garage. An additional five on-street parking spaces are proposed as part of the street improvements for the site frontage along Providence Church Lane.
- Specifies that pitched roofs, if provided, shall be symmetrically sloped, except roofs for porches and attached sheds or if flat roof are use.
- Garage doors visible from public or private streets will minimize the visual impact by providing a setback of 12 to 24 inches from the front wall plane.
- ~~Specifies that all end unit facades that face the public streets will not have blank walls that exceed 20 feet in length on any floor, based on the use of multiple windows and other architectural elements such as changes of materials, building articulation, building modulation or combination thereof.~~
- Provides an eight-foot planting strip and 12-foot multi-use path within a ~~20~~22-foot setback from the future back-of-curb along Providence Road.
- Provides an eight-foot planting strip and six-foot sidewalk within a ~~14~~16-foot setback from the proposed back-of-curb along Providence Church Lane.
- ~~Provides a bus waiting pad on Providence Road in a location to be determined in permitted.~~
- Indicates areas of tree save and pockets of open space behind the setbacks, around the perimeter of site, along Providence Church Lane and Providence Road. Proposes a ten-foot rear yard with a landscape area containing evergreen screen along the southern boundary abutting Providence Presbyterian Church's property.
- ~~Commits to provide planting materials composed of 14 trees and 40 shrubs to be installed on the church property only with the permission of the church within the first 26 feet of the property line. Additional plantings will be installed on the site to constitute a 36-foot area devoted to buffer plantings.~~



- Existing Zoning and Land Use



South of the site between Providence Road and Providence Church Lane is Providence Presbyterian Church.



Approximately 250 feet southwest of the site and across Providence Road from Providence Presbyterian Church, on the west side of Providence Road are single family homes. This is closest single family neighborhood to the site.





Approximately 280 feet northeast, across from Charlotte Latin School Campus and across Providence Church Lane from the site, is the next closest single family neighborhood.



North of the site on the west side of Providence Road is Charlotte Latin School.



West of the site, across Providence Road is a single family home that is part of the Charlotte Latin campus.



East of the site across Providence Church Lane is one single family home on a 5.38 acre lot and Providence Spring Elementary.

- **Rezoning History in Area**

Orange outline: Pending Rezoning

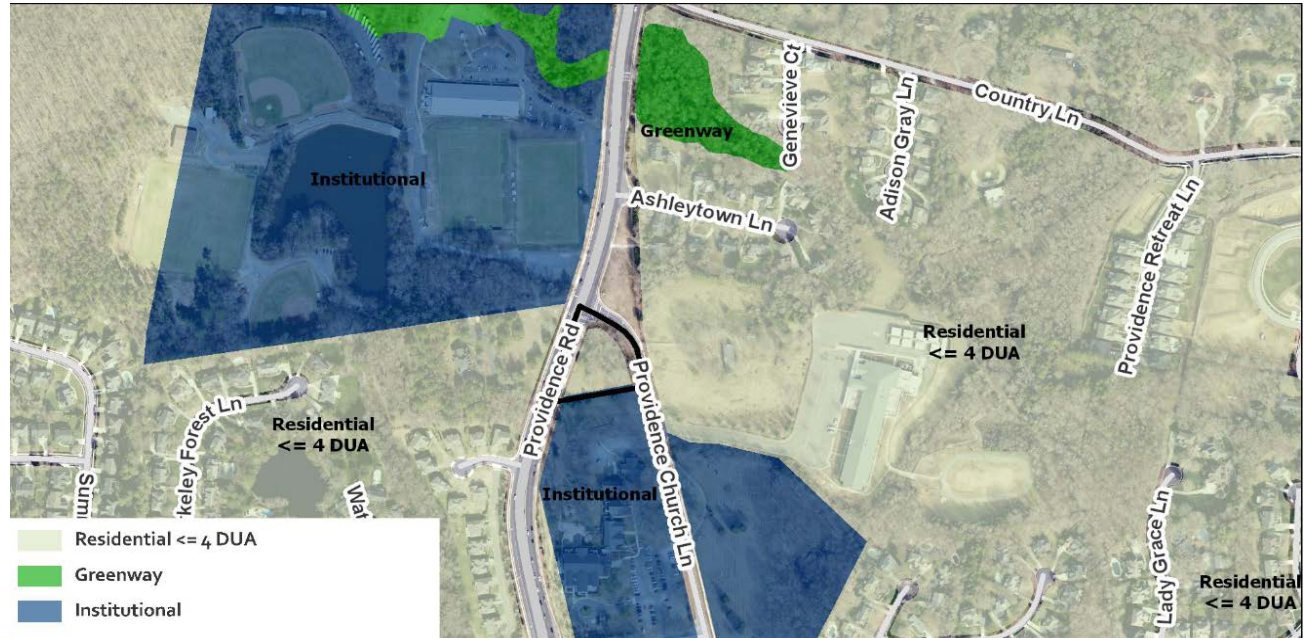
Green outline: Approved Rezoning After Jan 2013



There have been no approved rezonings in the mapped area in the past five years.



## • Public Plans and Policies



- The *Providence Road/I-485 Area Plan Update* (2000) recommends residential use at a density of up to four units per acre in this area.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located at the signalized intersection of a major thoroughfare and a local road. The site plan is committing to a multiuse path on Providence Road and sidewalk on Providence Church Lane which supports the City's goals of bike and pedestrians infrastructure improvements. CDOT is requesting the petitioner address the technical corrections identified in the memo.
  - See Requested Technical Revisions, Notes 4-6.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: 30 trips per day (based on two dwelling units under R-3 zoning).
    - Proposed Zoning: 50 trips per day (based on five townhomes).

## DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** ~~See Outstanding Issues, Note 3.~~
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce one student. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero students.
  - The proposed development is projected to not increase the school utilization over existing conditions (without mobile classroom units) at the following schools:
    - Providence Spring Elementary (122%)
    - Crestdale Middle (71%)
    - Providence High (115%).
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via existing eight-inch water distribution main located along Providence Church Lane. The proposed rezoning has the potential to impact the capacity of the local sanitary sewer collection system. A Willingness to Serve application has been received and is currently under review.
- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be removed from nor 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. Trees cannot be planted in nor removed from the right-of-way of all existing (Providence Church Lane) and newly created City of Charlotte maintained streets without authorization from the City Arborist or his designee.

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 inches (DBH) or larger in the setback.~~ Tree survey may be completed by landscape architect, surveyor, or other land development professional. See Outstanding Issues, Note 4.

- **Erosion Control:** No outstanding issues.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Site and Building Design

1. ~~Provide architectural standards note to limit expanses of blank walls for the ends of the units that face Providence Road and Providence Church Lane. Requested note to include, "All end unit facades that face public streets should have a porch or stoop that wraps a portion of the front and side of the unit or will not have blank walls that exceed 10 feet in length on the ground floor level and 20 feet in length on all other levels through the use of multiple windows and other architectural elements such as changes of materials, building articulation, building modulation or combination thereof."~~ **Addressed**
2. ~~Provide notes describing or notes showing the proposed woonerf design.~~ **Addressed**

### Transportation

3. ~~Provide and construct a new waiting pad for a relocated bus stop on Providence Road along this site's frontage according to standard detail (60.01B) for the bus pad. Permanent easement is requested, where dimensions exceed existing or proposed right-of-way limits.~~ **Addressed**

### Environment

4. 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 inches (DBH) or larger in the setback.~~ Tree survey may be completed by landscape architect, surveyor, or other land development professional. **Not addressed but needs to be resolved prior to Council vote.**

## REQUESTED TECHNICAL REVISIONS

### Site and building design

5. ~~Delete the words 16' and 14' setback from proposed back of curb and 20' setback from future back of curb in the Site Legend on Sheet 1 and 2 and replace with the words "setback from proposed/future back of curb."~~ This is a new comment based on the review of the revised plan. **Addressed, the petitioner provided an email stating this would be included on a revised site plan to be submitted prior to the decision.**
6. ~~Amend the site development data to change the building height from 3 stories to 2 to match what was stated at public hearing. This is a new comment based on review of the revised plan.~~ **Addressed, the petitioner provided an email stating this would be included on a revised site plan to be submitted prior to the decision.**
7. ~~Increase the setback along Providence Road from 20 feet to 22 feet to accommodate the eight foot planting strip, 12-foot multi-use path, plus two feet behind the back of the multi-use path.~~ **Addressed**

### Transportation

8. ~~Add a note to site plan stating location of future back of curb is 44 feet from centerline of Providence Road.~~ **Addressed**
9. ~~Add a note to site plan stating location of the back of the shared use path is 64 feet from centerline of the Providence Road.~~ **Addressed**
10. ~~Add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right-of-way set at two feet behind back of sidewalk where feasible.~~ **Addressed.**

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

- Application
- Site Plan

- Locator Map
- Community Meeting Report
- Prehearing 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