

<b>REQUEST</b>	Current Zoning: INST (Institutional) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive in the University City area. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes the redevelopment of two developed single family lots in the University City area for up to 26 duplex dwelling units in 13 buildings, at a density of 10 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Marnicaly at UNCC, LLC Marnicaly at UNCC, LLC John Carmichael, Robinson Bradshaw
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be consistent with the <i>Northeast District Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recommends multi-family residential uses for this site; and</li> <li>• The petition meets the <i>General Development Policies</i> locational criteria for consideration of up to 11 dwellings per acre.</li> </ul> </li> <li>• Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The subject property is surrounded by multi-family housing on the west side of Old Concord Road; and</li> <li>• The site is within close proximity to UNC Charlotte's main campus and the Carolina's Medical Center University Hospital and could offer a conveniently located housing choice for students and employees; and</li> <li>• The design of the site respects the character of Old Concord Road, by providing generous setbacks; and</li> <li>• The proposal also includes a 12-foot wide multi-use path along the Old Concord Road frontage intended for use by bicyclists and pedestrians; and</li> <li>• The site plan proposes a new street off of Old Concord Road, setting up a future street network for an area, between Old Concord Road and University City Boulevard, that is generally lacking in connectivity;</li> </ul> </li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Dodson seconded by Eschert).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <p><u>Transportation</u></p> <ol style="list-style-type: none"> <li>1. Depicted a future back of curb location along Old Concord Road located 35.5 feet from the existing edge of pavement on the east side of Old Concord Road.</li> <li>2. Revised site plan so that the proposed surface parking aisles and angled parking spaces conform to a two-way traffic flow throughout the site.</li> <li>3. Removed head-in parking spaces within 25 feet of the future right-of-way line to avoid conflicts between parking maneuvers and the multi-use path or incoming (eastbound) vehicles.</li> </ol>
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Additional adjustment to parking may be required during permitting.

**VOTE** Motion/Second: Dodson / Eschert  
 Yeas: Dodson, Eschert, Lathrop, Majeed, Sullivan, and Wiggins  
 Nays: None  
 Absent: Labovitz  
 Recused: None

**ZONING COMMITTEE DISCUSSION** Staff provided an update of the petition, noting that the petitioner addressed the one outstanding issue added after the public hearing related to the head-in parking by removing such parking. There was no additional discussion.

Staff noted that this petition is consistent with the *Northeast District Plan*.

**STAFF OPINION** Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
 (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes up to 26 duplex units in 13 buildings, at a density of 10 dwelling units per acre, with accessory uses such as a clubhouse and fitness center. Clubhouse building will not exceed 1,800 square feet.
- Limits maximum building height to two stories and 40 feet.
- Allows open space located adjacent to the clubhouse to be passive open space or be improved with active recreational uses such as a swimming pool, volleyball court and/or other active recreational uses that serve the residents.
- Provides an internal system of sidewalks.
- Proposes a 10-foot multi-use trail and six-foot planting strip along the frontage on Old Concord Road.
- Proposes a public street (local residential street classification), with an eight-foot sidewalk and eight-foot planting strip along both sides to be installed and stubbed to abutting property to the west. Vehicular access points into the site from this new public street may be gated at the option of the petitioner.
- Provides reverse angled on-street parking along the proposed public street.
- Provides building elevations reflecting views from the front, side and rear.
- Limits primary exterior building materials to brick and stone. Vinyl is not permitted as an exterior building material except it may be utilized on the soffits, trim and railings and vinyl windows may be installed.
- Proposes two vehicular access points on Old Concord Road.
- Requires a bus stop waiting pad for a future bus stop on Old Concord Road be constructed prior to the issuance of a certificate of occupancy for the first new building to be constructed.
- Provides that additional property needed to extend the existing right-of-way for Old Concord Road be dedicated and conveyed to the City of Charlotte prior to the issuance of a certificate of occupancy for the first new building to be constructed.
- Provides a minimum four-foot separation between the back of a sidewalk or a multi-use path and a building entrance.
- Provides that all entrances into duplex dwelling units be located a minimum of 12 inches above the grade of the adjacent sidewalk.
- Provides that the Petitioner will install large maturing evergreen trees on the site side of an existing fence on an abutting parcel immediately to the south of the site if the petitioner obtains written permission from the owner

• **Public Plans and Policies**

- The *Northeast District Plan* (1996) recommends multi-family residential uses for this site.
- 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 11 dwellings per acre as

illustrated in the table below.

Assessment Criteria	Density Category – up to 11 DUA
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	3 (High)
Connectivity Analysis	4 (Medium-High)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 12</b>	<b>Total Points: 14</b>

- **TRANSPORTATION CONSIDERATIONS**

- This site has direct access to an existing minor thoroughfare that parallels Norfolk-Southern Railroad. This plan complies with the general transportation policy goals, including creating a local network street and implementing bicycle and pedestrian facilities. CDOT has not identified any negative impacts to the transportation facilities in the area. The site circulation is acceptable to CDOT.
- **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 29 trips per day (based on 2 single family dwellings).  
Entitlements: Too many uses to determine trips per day in the INST (institutional) district.  
Proposed Zoning: 200 trips per day (based on 26 duplex dwelling units).

**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 issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce three 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) for Newell Elementary (131%), Martin Middle (87%) and Vance High (116%).
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water currently does not have water system availability via a water distribution main. The closest water distribution main is approximately 900 feet south of the property at the intersection of Old Concord Road and Suther Road. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to water system connections. Charlotte Water currently has sewer system availability for the rezoning boundary via an existing eight-inch sewer main located along Old Concord Road.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Development of this site may require submission of an asbestos Notification of Demolition and Renovation to Mecklenburg County Air Quality (MCAQ) due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.
- Ground Water Services records indicate a contamination site(s) exist on or within 1,500 feet of the properties included in the petitions. An established Area of Regulated Groundwater Usage (ARGU) as defined by the Mecklenburg County Groundwater Well Regulations extends 1,500 feet around the contamination sites. In ARGU where municipally supplied water is available, water supply wells for water supply, irrigation or open loop geothermal systems may not be permitted or constructed on or within 1,000 feet of contamination sites. Wells may be permitted with special construction and sampling requirements between 1,000 and 1,500 feet of contamination sites
- **Mecklenburg County Parks and Recreation Department:** No issues.

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

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System Review
  - Charlotte Department of Neighborhood & Business Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Sonja Strayhorn Sanders (704) 336-8327