

<b>REQUEST</b>	Current Zoning: R-3 (single family residential), O-1(CD) (office, conditional), and INST (institutional)  Proposed Zoning: MUDD-O (mixed use development, optional) with five-year vested rights.
<b>LOCATION</b>	Approximately 6.83 acres located on the south side of University City Boulevard between Suther Road and John Kirk Drive. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	This petition proposes to allow the redevelopment of a residential site, located directly across University City Boulevard from the campus of UNC Charlotte, with up to 349 multi-family residential dwelling units, at a density of 51 dwelling units per acre.
<b>PROPERTY OWNER</b>	College Station Associates, LLC; Cardinal Property Holdings, LLC; Sonya P. Moore, and Steve and Sarah Goodman
<b>PETITIONER</b>	Haven Campus Communities
<b>AGENT/REPRESENTATIVE</b>	Jeff Brown, Keith MacVean, Bridget Dixon, Moore & Van Allen, PLLC
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 17

<b>STAFF RECOMMENDATION</b>	<p>Staff does not recommend approval of this petition in its current form.</p> <p><u>Plan Consistency</u> The proposed residential use is consistent with the <i>University City Area Plan</i>, which recommends residential for the site, but the density of 51 dwelling units per acre is inconsistent with the plan which recommends up to 22 dwelling units per acre for the portion of the site that fronts University City Boulevard.</p> <p>For the portion of the site that fronts Sandburg Avenue, the petition is consistent with the <i>Northeast District Plan</i> recommendation for residential use, but does not meet the criteria set forth in the <i>General Development Policies</i> (GDP's) for consideration of an increase in density above 17 dwelling units per acre.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The proposed density of 51 units per acre is more than twice the density (22 units per acre) recommended by the <i>University City Area Plan</i>. The proposed density results in a single, massive building located along University City Boulevard.</li> <li>• The University City Boulevard frontage exceeds the typical block length of 600 feet recommended in the <i>University City Area Plan</i> by approximately 200 feet.</li> <li>• The proposed new street that runs north to south should be relocated closer to existing Sandburg Avenue to create two smaller blocks, to be more consistent with adopted policy.</li> <li>• In addition, the current street location will not support a direct street connection between University City Boulevard and Old Concord Road. The first link of the street connection has already been planned via Petition 2016-050. The second link of the street connection, as shown on this petition, is offset from the one approved by Petition 2016-050.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - A maximum of 349 multi-family residential dwelling units, in one principal building, at a density of 51 dwelling units per acre.

- Site Design and Building Standards:
  - Maximum residential building height limited to four and five stories along University City Boulevard, four stories along Suther Road and the proposed new public street, and three stories along Sandburg Avenue.
  - Building materials include a combination of brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits and handrails/railings.
  - The building at the corner of Suther Road and University City Boulevard will be designed to have active ground floor uses such as a leasing office, club house and other amenity areas.
  - A minimum 15-foot wide transition zone will be provided between the building face and the back of the sidewalk located along University City Boulevard, which may be used for enhanced landscaping. A five-foot wide transition zone will be provided along Suther Road and the proposed public street. The transition zone along Suther Road will start a few feet away from the corner of Suther Road and University City Boulevard. Along Sandburg Avenue, a four-foot wide transition zone will be provided. Stairs, landscaping and stoops may be located in the transition zones.
  - A 15-foot wide planting strip and a 10-foot wide multi-use path will be provided along University City Boulevard. An eight-foot planting strip and an eight-foot sidewalk will be provided along Suther Road, Sandburg Avenue, and on one side of the proposed public street within the required setbacks.
  - Scale and massing of buildings longer than 150 feet along a street shall be minimized by using a combination of varied roof lines, building colors, horizontal and vertical variations, and/or architectural protrusion of six inches or greater to accentuate enclosed balconies.
  - The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Such areas that cannot be treated principally with doors or windows will be treated with a combination of options such as a higher level of transparency on the ground floor, and horizontal and vertical variations in wall planes.
  - Residential building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrances.
  - Building entrances will be provided at a minimum of every 270 linear feet along the site's frontage along University City Boulevard. A minimum of two entrances will be provided along the site's frontage on Suther Road. At the corner of Suther Road and University City Boulevard, the buildings will have an entrance facing each street. Units with frontage on Sandburg Avenue will have individual entrances to Sandburg Avenue.
  - All building facades will incorporate windows, arches or other architectural details along with varying building materials, roof lines or building offsets.
  - The ground floor of the proposed building will not exceed five feet above the grade of the proposed sidewalks and the multi-use trail located along the adjoining public streets.
  - Along Sandburg Avenue the portion of the building taller than three stories will be set back an additional 15 feet behind the proposed third floor.
  - The ground floor of the building will be taller than, or have the appearance of being taller than, the upper floors through the use of architectural treatments and details.
  - Architectural renderings are provided showing perspectives of the townhomes along Sandburg Avenue, the secondary entrance along University City Boulevard, the corner entry of University City Boulevard and Suther Road, and the recessed courtyard along University City Boulevard.
- Transportation Standards:
  - Access to the site will be provided from University City Boulevard, with a limited service fire access from Sandburg Avenue.
  - Future access from the proposed parking deck to the future extension of Sandburg Avenue will be provided.
  - A crosswalk will be constructed at the intersection of the proposed public street and the proposed 10-foot multi-use trail subject to NCDOT approval.
  - Right-of-way will be preserved along the site's Suther Road frontage for the construction of a future eleven-foot right-turn lane. On street parking will not be provided.
  - Sidewalk and utility easement will be provided along the site's frontage on Sandburg Avenue, if needed, and additional right-of-way at the end of Sandburg Avenue will be dedicated for its future extension. Recessed on-street parking will not be provided.
  - A new north/south public street to be located along the east side of the subject property will be constructed to the standards of a residential wide cross section, with sidewalk along both sides and on-street parking.
  - Required roadway improvements will be constructed prior to the issuance of a certificate of occupancy.

- Additional Provisions:
  - A public courtyard will be provided along University City Boulevard, which will be improved with landscaping, hardscape elements, seating and lighting.
  - A pad for a bus shelter will be provided along University City Boulevard.
  - A 45-foot building setback measured from the future back of curb along University City Boulevard will be provided, and will be maintained even if the right-of-way along University City Boulevard is reduced and the proposed building is allowed to shift forward toward the new right-of-way line.
  - A building setback along Suther Road ranging from 16 feet at the intersection with University City Boulevard to 75 feet at the intersection with Sandburg Avenue will be provided. Building setback will be measured from the proposed back of curb.
  - Along Sandburg Avenue a 20-foot setback measured from the future back of curb will be provided.
  - A 16-foot setback along the proposed public street will be provided as measured from the proposed back of curb.
  - Pedestrian scale lighting will be installed along the proposed sidewalks and the proposed multi-use trail.
- Optional Provisions:
  - Allow a small surface parking area between the building and Suther Road, as shown on the site plan.
- **Existing Zoning and Land Use**
  - Petition 1996-24 rezoned 1.06 acres located on the south side of University City Boulevard and east of Suther Road to O-1(CD) (office, conditional) to allow reuse of the existing structure for 3,900 square feet of office use. The subject property is developed with single family homes, an office use and multi-family apartments that were allowed in INST (institutional) zoning via a special use permit granted in 1983.
  - The University of North Carolina at Charlotte Campus is located across the street, on the north side of University City Boulevard.
  - Properties to the east are zoned R-9MF(CD) (multi-family residential, conditional), R-12MF (multi-family residential), B-1(CD) (neighborhood business, conditional), and I-2 (general industrial), and developed with attached homes, condominiums, multi-family apartments, retail uses, and warehouses.
  - South and west of the site exist single family homes, condominiums, multi-family apartments, retail, and a religious institution zoned R-3 (single family residential), INST (institutional), R-9MF(CD) (multi-family residential, conditional), R-17MF (multi-family residential), and MUDD-O (mixed use development, optional).
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Rezoning petition 2016-50 rezoned approximately 2.59 acres located on the west side of Old Concord Road between Suther Road and John Kirk Drive to UR-2(CD) (urban residential, conditional) to allow up to 26 duplex dwelling units in 13 buildings, at a density of 10 units per acre.
  - Rezoning petition 2014-061 approved an INST(CD) SPA (institutional, conditional, site plan amendment) for approximately 10 acres owned by the Roman Catholic Diocese of Charlotte and located on the south side of Suther Road between Old Concord Road and Sandburg Avenue. The approval allows up to 70,888 square feet of building area through redevelopment of existing buildings, building additions and/or new buildings.
  - Rezoning petition 2012-010 rezoned approximately 4.7 acres located on the south side of University City Boulevard between Mark Twain Road and Suther Road, to redevelop an existing apartment complex to allow 200 multi-family dwelling units and 5,000 square feet of ground floor commercial.
- **Public Plans and Policies**
  - The *Northeast District Plan* (1996) recommends residential land uses up to four units per acre for the subject parcels along Sandburg Avenue.
  - The *University City Area Plan* (2015) recommends residential uses at up to 22 units per acre for the subject parcels along University City Boulevard.
  - Additional guidance for the parcels subject to the *University City Area Plan* includes the following:
    - Limited retail development may be appropriate as part of new residential development to provide goods and services to the immediate neighborhood.
    - Buildings should be designed to avoid the appearance of having a long, continuous building wall and to break up visual mass and bulk.

- Development adjacent to established neighborhoods should be no greater than four stories and may incrementally increase in height away from existing single family residential. Development should be designed to promote pedestrian activity. Buildings should be oriented to the street and located at or near the back of the sidewalk. Parking should be located behind buildings.
- Reduce the number of driveways along University City Boulevard by providing centralized access from a local street or through a series of cross access agreements or other innovative approaches.
- As development occurs construct a multi-use path along University City Boulevard.
- Provide multiple pedestrian and bicycle connections throughout developments, including direct sidewalk connections at intersections and convenient, safe access to UNC Charlotte.
- As new development occurs, provide open space that incorporates amenities such as plazas, courtyards, fountains, outdoor seating, and recreation areas. Encourage consolidation of open space.
- The adopted streetscape for University City Boulevard from North Tryon Street to Mallard Creek Church Road includes a 10-foot multi-use path, 15-foot planting strip, and a 45-foot setback.
- This area lies within a General Corridor, and therefore, most block lengths should not be greater than 600 feet.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre, and are applicable to the portion of the site that fronts Sandburg Avenue, which is proposed for a density of greater than 17 units per acre.

Assessment Criteria	Density Category – over 17 du/a
Meeting with Staff	1 – Yes
Sewer and Water Availability	2 – Yes
Land Use Accessibility	3 – High
Connectivity Analysis	3 – Medium
Road Network Evaluation	0 – No
Design Guidelines	4 – Yes
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 14</b>	<b>Total Points: 13</b>

**• TRANSPORTATION CONSIDERATIONS**

- The site is located on a major thoroughfare near a signalized intersection with a local street, directly across University City Boulevard from the UNC Charlotte campus. The current site plan provides bicycle and pedestrian facilities and accommodates street cross sections and associated rights-of-way to develop better local street connectivity. CDOT requests have been substantially resolved. However, the petitioner should revert back to the prior site plan depiction of a right-turn lane on Suther Road as a right-of-way reservation and not constructed with the initial project. The remaining outstanding issues are requests for pedestrian scale lighting on the multi-use path and improved access to the 800 plus space parking deck in the current site plan.
- See Outstanding Issues, Notes 2 and 3.
- **Vehicle Trip Generation:**  
 Current Zoning:  
 Existing Use: 540 trips per day (based on five single family detached dwellings, 38 multi-family dwelling units, and a 1,647-square foot child care center).  
 Entitlement: 950 trips per day (based on four single family detached dwellings, a religious institution, and 3,900 square feet of office uses).  
 Proposed Zoning: 2,250 trips per day (based on 349 multi-family dwelling units).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** Site must comply with the City’s Housing Policies if seeking public funding.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate two students, while the development allowed under the proposed zoning could produce 128 students. Therefore, the potential net increase in the number of students generated from existing zoning to proposed zoning is 126 students.
  - The proposed development could increase the school utilization (without mobile classroom units)

over existing conditions as follows:

- Newell Elementary from 108% to 115%;
  - James Martin Middle from 87% to 89%; and
  - Vance High from 116% to 118%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing 20-inch and six-inch water distribution mains located along University City Boulevard. There is also system availability via an eight-inch water distribution main located along Suther Road and a four-inch water distribution main located along Sandburg Avenue. Sewer system is available for the rezoning boundary via an existing eight-inch gravity sewer main located in the southern area of the rezoning boundary and along Sandburg Avenue.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.

## OUTSTANDING ISSUES

### Land Use

1. The proposed residential density of 51 dwelling units per acre is inconsistent with the *University City Area Plan*, which recommends residential uses up to 22 dwelling units per acre for the portion of the site that fronts University City Boulevard. In addition, the portion of the site that fronts Sandburg Avenue does not meet the criteria set forth in the *General Development Policies* (GDP's) for consideration of an increase in density above 17 dwelling units per acre. Reduce the density, which is over twice what is recommended in the adopted area plan and GDP.

### Transportation

2. The petitioner should revise the site plan to provide better access to the parking structure. CDOT recommends providing a two-way, 20-foot wide driveway aisle connection between the proposed parking deck and Sandburg Avenue or relocating the proposed public street to the other side of the parking structure and creating a local connection between Sandburg and University City Boulevard.
3. Petitioner should revise the site plan to restore the cross section on Sandburg Avenue (17.5-foot curbline, includes on-street parking) to match standard USDG cross-section for the street.

### Site and Building Design

4. Reduce the 870-foot proposed block length to not exceed 600 feet by relocation of the proposed new street that runs north to south closer to existing Sandburg Avenue to create two smaller blocks, which would be more consistent with adopted policy. This future road network has already been established at Old Concord Road between Suther Road and John Kirk Drive via Petition 2016-50. The loss of this road negates an opportunity to set up a future road network in the area.
5. Amend Note 6H under "General Design Guidelines" to add language that all building entrances shall be visible from the street and have prominent components that are similar in size and scale to the building, and appear to residents as a primary entrance to the building. This may be done with window features, architectural elements, a building protrusion that is taller than one story, or awnings. Amend the renderings to show entrances that meet this standard.
6. The nonresidential component fronting University City Boulevard should protrude 15 feet from the face of the building to break up massing.
7. Ensure that the building elevations show the entire frontage along University City Boulevard and not just parts of the elevation.
8. Amend Note 6K under "General Design Guidelines" to delete "or have the appearance of being taller than."

## REQUESTED TECHNICAL REVISIONS

9. Identify the future curb line location along University City Boulevard on the site plan.

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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
- 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