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<b>REQUEST</b>	Current Zoning: R-22 MF, multi-family residential Proposed Zoning: UR-3 (CD), urban residential conditional district
<b>LOCATION</b>	Approximately .89 acres located on the southeast corner of Selwyn Avenue and Queens Road West
<b>CENTER, CORRIDOR OR WEDGE</b>	Wedge
<b>SUMMARY OF PETITION</b>	Proposal to rezone to construct 42 multi-family units with associated parking. The site plan includes elevations, architectural guidelines, height limits, parking, and open space locations.
<b>STAFF RECOMMENDATION</b>	<p>Under the current R-22MF zoning, the developer has submitted a multi-family project for review, which includes 19 units with a maximum building height of 138-feet which is allowed by right under the R-22 MF zoning.</p> <p>Under the proposed UR-3 (CD) zoning, the number of units increases to 42 while the building height decreases to a maximum of 90 feet.</p> <p>The proposed zoning allows building heights that are more consistent with other multi-family projects in the area. The proposed development is consistent with the <i>Central District Plan</i> which calls for multi-family development. However, this proposal almost doubles the density of 22 dwelling units to the acre which could be developed by right. The petitioner has, with the redesign, reduced the height of the building from 138 feet to 90 feet, maintained the set-backs along Queens Road West and Selwyn Avenue and enhanced the design of the project consistent with architectural elements that are seen throughout Myers Park. To achieve the reduction in height and enhanced design, the density of the project increased. Considering the reduction in height and the architectural enhancements, staff recommends approval of this petition upon resolution of the outstanding site plan issues.</p>
<b>Property Owner</b>	The Boulevard at 2409 Selwyn LLC
<b>Petitioner</b>	The Boulevard Company
<b>Agent/Representative</b>	John Carmichael and Laura Simmons
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

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#### **PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum 42 multi-family units.
- Maximum building height of 90-feet.
- Parking is primarily located under the structure.
- Open space is provided between the building and the Roswell Condominiums.
- The minimum setback along Queens Road West is 40-feet and the minimum side yard along Selwyn Avenue is 50-feet.
- Lighting is limited to 20-feet in height with full cut-off fixtures and no wall pak lighting is permitted.
- Architectural guidelines and elevations are provided.

**Existing Zoning and Land Use**

All of the adjoining properties are zoned R-22 MF and are developed as multi-family and single family residential uses.

**Rezoning History in Area**

No rezonings have been approved in the immediate area in the past five (5) years. However, there is a pending petition, 2008-32, filed by the Myers Park Homeowners Association to rezone 41.26 acres of land, including this proposed site, from R-22MF to R-8MF on both sides of Selwyn Avenue.

**Public Plans and Policies**

The *Central District Plan (1993)* recommends multi-family development for this site but does not specify a density. When a plan doesn't indicate a specific density, the GDPs are applied.

The *General Development Policies (GDP's)* establish guidelines for density and design for residential development. The proposal meets the multi-family location criteria for over 17 dwelling units per acre. The site is currently zoned for 22 dwelling units to the acre. The petitioner has, with the redesign, reduced the height of the building from 138 feet to 90 feet and enhanced the design of the project consistent with architectural elements that are seen throughout Myers Park and identified in the GDPs. To achieve the reduction in height and enhanced design, the density of the project increased.

Assessment Criteria	Density Category – over 17 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (High)
Connectivity Analysis	5 (High)
Road Network Evaluation	0 (Yes)
<b>Design Guidelines</b>	<b>4 (Yes)</b>
Other Opportunities or Constraints	NA
<b>Minimum points needed: 14</b>	<b>Total Points: 14</b>

**PUBLIC INFRASTRUCTURE** (see full department reports online)**Vehicle Trip Generation:**

Current Zoning: 140 trips per day

Proposed Zoning: 280 trips per day

**CDOT:** CDOT is requesting 5-feet of additional right-of-way on Selwyn Avenue and has specific comments on the setback and the location of the sidewalk. Selwyn Avenue is currently being evaluated for a road conversion that may provide bicycle lanes, a 3-lane cross-section, and intermittent pedestrian refuge islands. To maximize the capacity of reduced lanes, the petitioner needs to eliminate the driveway on Selwyn Avenue, restricting access to only Queens Road West.

**Charlotte Fire Department:** No issues.

**CATS:** No comments received.

**Connectivity:** Connectivity with adjacent properties is not an issue on this .89-acre corner lot.

**Schools:** No comments received.

**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

**Storm Water:** The site will be required to meet the Post Construction Controls Ordinance. Storm Water Services has no additional comments.

**LUESA:** Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities.

**SITE DESIGN:**

The proposed request minimizes impacts to the natural environment by building on an infill lot.

**OUTSTANDING ISSUES**

1. The petitioner should indicate the maximum number of stories on the site plan.
  2. The petitioner should indicate the Floor Area Ratio (2.0 maximum permitted) on the site plan.
  3. The petitioner should show the maximum building square footage.
  4. The petitioner should provide one (1) off-street delivery space required.
  5. The petitioner should remove the portion of Note #2 that excludes parapets from the height measurements. The parapets are included in the zoning ordinance as part of the height measurement.
  6. The site plan should show the solid waste and recycling location on the plan, per Section 12.403.
  7. The petitioner should show the distance from the right-of-way lines/property lines to the parking areas.
  8. The petitioner should clearly show and label the front, side and rear yard requirements.
  9. The petitioner should show the proposed location of the fountain indicated in the illustrative drawings.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

Application Form  
Site Plan  
CDOT Review  
Fire Department Review  
LUESA Review  
Storm Water Review  
Community Meeting Report

**Planner: Tammie Keplinger (704) 336-5967**