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<b>REQUEST</b>	Current Zoning: NS, neighborhood services Proposed Zoning: MUDD(CD), mixed use development district, conditional
<b>LOCATION</b>	Approximately 6.07 acres located on the northwest corner of University City Boulevard and East Mallard Creek Church Road.
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of 250 multi-family dwelling units.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon the resolution of outstanding issues. The requested proposal is inconsistent with the recommended density of the <i>University City Area Plan</i> . However, the plan is generally consistent with the staff developed <i>University City Boulevard Design Guidelines</i> for higher density residential development. The subject site includes the following elements recommended by the guidelines: structured parking, usable open space, specified building materials, and pedestrian access and lighting.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Numerous Owners University Investments Group, LLC Matt Gower, DAS Architecture
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

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#### **PLANNING STAFF REVIEW**

- **Background**

- The subject parcels were a part of a larger 7.64 acre rezoning from INST to NS (petition 2002-146), which was approved to allow the following development rights:
  - 34,000 square feet of retail.
  - 65,000 square feet for residential uses or up to 90 residential units.
  - Four new buildings and one existing building.
  - Elevations of proposed new development.
  - Internal sidewalk and vehicular connections to adjacent property.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 250 dwelling units for a density of 41.66 units per acre in one building.
- Eight-foot planting strip and six-foot sidewalk along East Mallard Creek Road.
- A 10-foot shared use path provided along NC Highway 49.
- One building on top of structured parking.
- Proposed building height of 90 feet and five stories.
- Minimum 75 percent of development not to exceed three stories in height along the rear yard.
- Setback along Mallard Creek Road of 24 feet and 32 feet along NC Highway 49.
- Elevations included for the new buildings committing to exterior building materials consisting of brick, precast concrete, and/or stone, EIFS, stucco, hardi and metal panel or cementitious panel, and/or other hard surfaced materials excluding windows, doors, soffits, gables, roof and architectural detail or trim.
- Decorative fence (details shown on site plan) along property edges.
- CATS waiting pad and shelter along East Mallard Creek Road.

- Gated entries.
  - Pedestrian access to building will be provided at a minimum every 250 feet along the frontage of the building.
  - Internal courtyard for active open space and a pool.
  - Pedestrian lighting along University City Boulevard.
  - **Existing Zoning and Land Use**
    - The subject properties are zoned NS and are developed with several residential structures or are vacant. The parcels to the west and north, which are zoned R-12MF (CD), are developed with multi-family residential structures. A single family home used by a fraternal organization is located in the institutional zoning to the north of the site. Across East Mallard Creek Church Road the properties are zoned institutional and are either vacant or used for residential purposes. To the south, across University City Boulevard, the properties are zoned B-1 and are used for non-residential purposes.
  - **Rezoning History in Area**
    - The subject site was rezoned by petition 2002-146, which allowed for retail and commercial development. South of the subject along University City Boulevard, petition 2012-012 seeks to rezone 4.7 acres to allow the development of 250 multi-family units and 25,000 square feet of commercial development.
  - **Public Plans and Policies**
    - The *University City Area Plan* (2007) recommends multi-family up 17 dwellings units per acre on the subject parcels.
    - The petition is inconsistent with the *University City Area Plan*.
    - The petition is generally consistent with the staff developed *University City Boulevard Design Guidelines* for urban form and development along University City Boulevard.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** The petitioner should do the following:
    - Provide and reserve 55 feet of right-of-way from the future curb line along University City Boulevard.
    - Show the future dedicated right-of-way along Mallard Creek Church Road as 19 feet behind the future back of curb.
    - Show the future dedicated right-of-way along NC Highway 49 as 30 feet behind the future back of curb.
  - **Vehicle Trip Generation:**
    - Current Zoning: 3,970 trips per day.
    - Proposed Zoning: 1,513 trips per day.
  - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** The proposed development would generate 77 students. The net change in number of students from existing to the proposed zoning is 77 students.
  - **Charlotte-Mecklenburg Storm Water Services:** Petitioner should remove the note that storm water detention can be located under the building.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - Facilitates the use of alternative modes of transportation by providing a CATS concrete passenger waiting pad.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Break up massing of building to avoid long expanses of building along University City Boulevard.
    2. Label height of the proposed three stories near the residentially zoned properties.
    3. List the total proposed height of the building.
    4. Provide elevations of all sides of the proposed building to show how the building and parking deck will look.
    5. Label each side of the elevations.
    6. Address Storm Water comments.
    7. Label areas of possible storm water detention.
    8. Label 55- foot building setback. (Add a note that building setback may be reduced upon written agreement of MUMPO, NCDOT and CDOT.)
    9. Address CDOT issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

**Planner:** Solomon Fortune (704) 336-8326