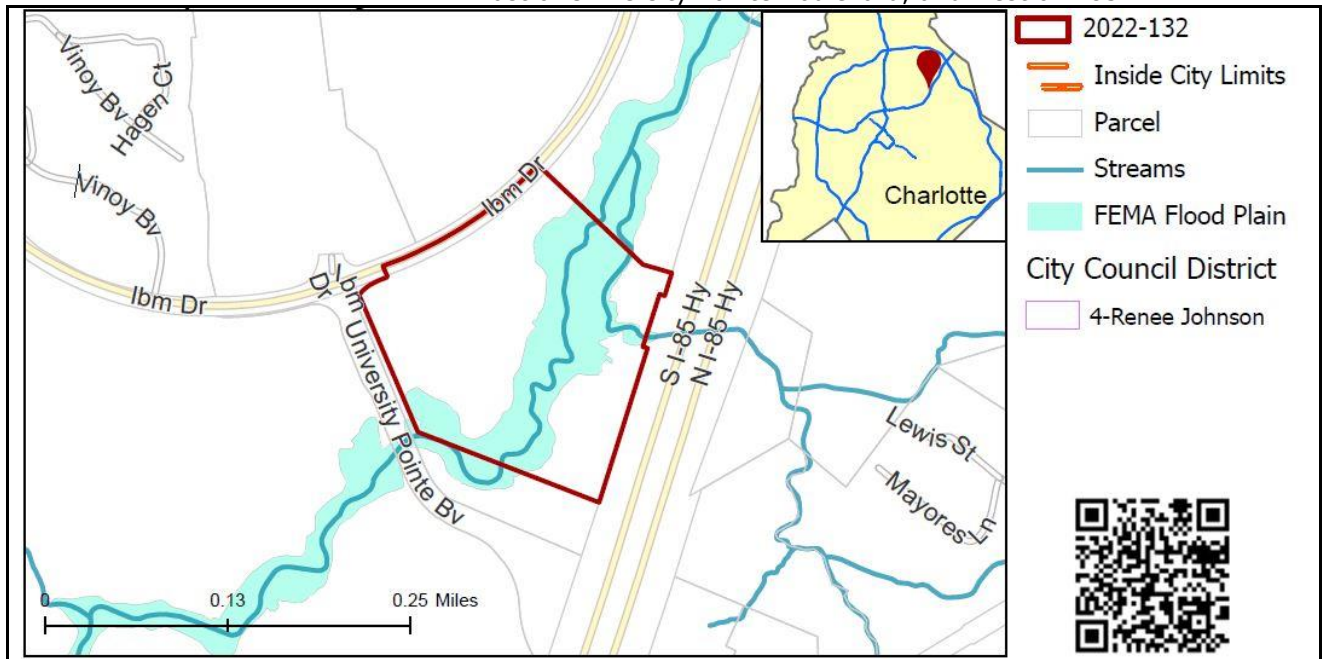


## REQUEST

Current Zoning: RE-2 (research district)  
Proposed Zoning: R-17MF(CD) (multi-family residential, conditional district)

## LOCATION

Approximately 17.95 acres located on the south side of IBM Drive, East of University Pointe Boulevard, and west of I-85.



## SUMMARY OF PETITION

The petition proposes development of the site in the University Research Park area with up to 260 multi-family residential dwelling units.

## PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

University Pointe CLT, LLC  
Fall Line Development, Inc.  
Brittany Lins/ Alexander Ricks, PLLC

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 1.

## STAFF RECOMMENDATION

Staff recommends approval of this petition.

### Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for Community Activity Center place type.

### Rationale for Recommendation

- This petition is appropriate and compatible with the Community Activity Center Place Type as it increases the mix of uses in the area by adding housing within a 15-minute walk of employment, schools, religious institutions, and retail.
- Approval of this petition would result in zoning that is better aligned to the Community Activity Center Place Type than the existing Research zoning district.
- The proposal includes architectural and site design standards such as limiting the buildings to a mid-rise, not more than 80 feet in

height, provides articulation of the façades through projections, recesses, bays, a variety of materials, etc., features prominent entrances with direct connections to the public sidewalk, prohibits parking between the building and adjacent street frontages, and limits blank walls.

- The proposal provides a 60-foot easement to be dedicated to Mecklenburg County Park and Recreation for a portion of the future Doby Creek Greenway that will cross the site.
- The petition commits to construct a minimum 12-foot multi-use path with an 8-foot planting strip along the frontage of IBM Drive.
- The site is served by the CATS number 50 and 54, local buses providing transit access to the Mallard Creek Park and Ride and Concord Mills, respectively. The site is within a 15-minute walk of Ikea Blvd with access to the number 11 local bus providing service to Uptown.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 4: Transit and Trail Oriented Development
  - 5: Safe & Equitable Mobility
  - 8: Diverse & Resilient Economic Opportunity

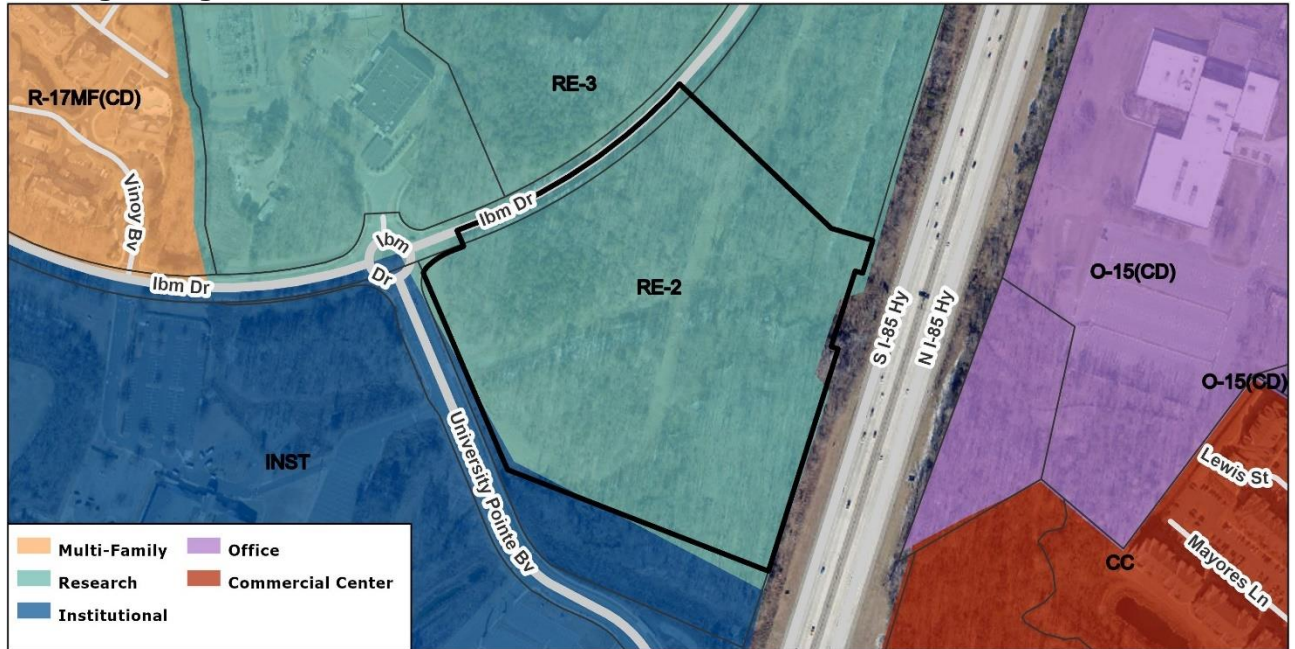
## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Permits the development of up to 260 multi-family residential dwelling units at a rate of 14.5 dwelling units per acre.
- Vehicular access to the site is proposed to be provided from IBM Drive and University Pointe Boulevard as generally depicted on the associated site plan.
- Constructs a 12-foot multi-use path with an 8-foot planting strip along IBM Drive.
- Dedicates minimum of 35 feet of right-of-way from centerline along IBM Drive.
- Commits to building left turn lane into site on IBM Drive.
- Commits to constructing ADA compliant bus stop.
- Architectural design standards related to exterior building materials, roof pitches, pedestrian scale lighting, horizontal and vertical façade articulation and modulation, limitation of blank wall area, screening, predominant building entrances and direct pedestrian access to public sidewalks.
- Limits the building height to a maximum of 80 feet.
- Prohibits parking areas between the buildings and the existing street frontages.
- Dedicates a 60-foot easement to Mecklenburg County Park and Recreation for the portion of the future Doby Creek Greenway alignment through the site.
- Provides a minimum 4,500 square feet of plaza/amenity space as generally depicted on the associated site plan.
- Describes site lighting standards to protect adjacent properties and rights-of-way from glare.

- Existing Zoning and Land Use**



The site was previously rezoned from R-3 to RE-2 per rezoning petition 1998-066(C).

Existing Zoning	Translated Zoning	Recommended Place Type
RE-2 (research district)	RC-1 (research campus)	CAC (community activity center)



The site (indicated by red star above) is located at the wedge of IBM Drive, University Pointe Blvd, and Interstate 85. There is a mix of uses including research, office, institutional, and multi-family in the area.



View of the west corner of the site. The site is currently undeveloped.



South of the site, across University Pointe Blvd. is Chambers High School and Martin Middle School.



Northwest of the site is a multi-family development.

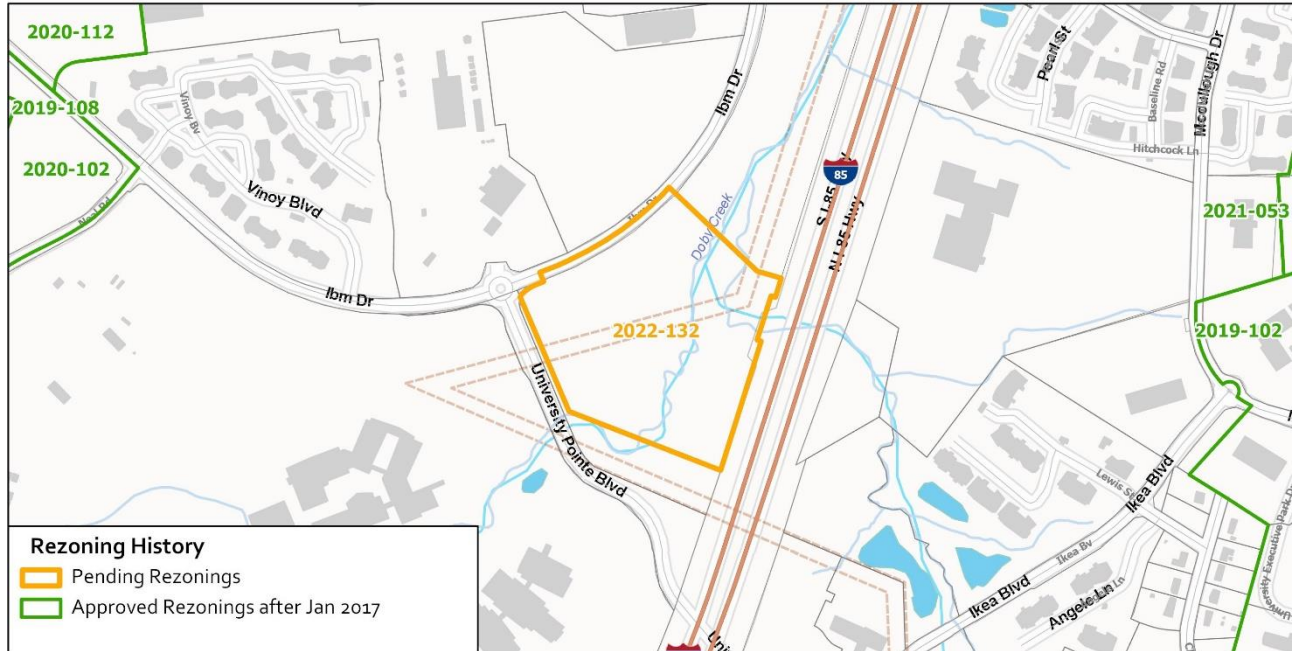


North of the site is the Innovation Park campus.



North of the site is the Innovation Park campus and a religious institution.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-102	1,771 acres of property that is located near the current Blue Line Rail Line to various TOD districts from various zoning districts.	Approved
2019-108	13.21 acres located on the west side of Neal Rd, southwest of IBM Dr to R-8MF(CD) from R-3.	Approved
2020-102	23.369 acres located along the northwest side of Neal Road, on the southwest side of IBM Drive, west of Highway 85 to R-8MF(CD) from RE-2, R-8MF(CD), R-4.	Approved
2020-112	57.2 acres on the east side of IBM Drive, South of West W.T. Harris Boulevard, and west of Interstate 85 Highway to RE-3(O) from RE-2.	Approved
2021-053	7.06 acres located on the east side of University Executive Park Drive, south of W.T. Harris Boulevard, and east of N. Tryon Street to TOD-NC from MUDD-O.	Approved

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Community Activity Center place type for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on a City-maintained, minor thoroughfare IBM Drive. A Traffic Impact Study (TIS) is not required for this site due to the site not generating 2500 daily trips. CDOT has coordinated with the petitioner to provide an 8-foot planting strip and a 12-foot multi-use path along IBM Drive. Site plan and/or conditional note revisions are needed and include, but are not limited to, committing to widening IBM drive to install a left turn lane at the site entrance, installing a bike ramp on University Pointe Boulevard connecting to the proposed 12-foot Multi-Use Path and the existing bike lane on University Pointe Boulevard, and addition of CDOT standard notes.
- **Active Projects:**
  - N/A
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
  - Existing Use: vacant.
  - Entitlement: RE-2 (too many uses to determine trip generation).
  - Proposed Zoning: 1,195 trips per day (260 multi-family dwelling units).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 0 students, while the development allowed under the proposed zoning may produce 32 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 32.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Governor's Village K-8 from 94% to 95%
    - Julius L Chambers High at 137%
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No outstanding issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No outstanding issues.

## OUTSTANDING ISSUES

### Transportation

1. ~~Revise site plan and conditional note(s) to commit to dedicate a min 35 feet of right of way from the road centerline on IBM Drive and University Point Boulevard.~~ Addressed
2. ~~Revise site plan and conditional note(s) to commit to extending the proposed Shared Use Path to a bike ramp installed per CLDSM 10.43 on University Point Boulevard.~~ Addressed
3. ~~Revise site plan and conditional note(s) to commit to widening IBM drive in order to construct a dedicated left turn lane at the sites entrance. Site plan shall label and dimension turn lane geometry on the site plan and a conditional note shall be added committing to the installation of the left turn lane.~~ Addressed
4. ~~Add a conditional note specifying "the Petitioner shall dedicate and convey in fee simple all rights of way to the City before the site's first building certificate of occupancy is issued. CDOT requests rights of way set at 2' behind back of sidewalk where feasible."~~ Addressed
5. ~~Full movement access on University Pointe Boulevard is crossing another parcel and not directly into ROW. Remove access unless this has been coordinated with property owner. Full movement access will only be considered with installation of left turn lane. Illustrate and dimension left turn lane on site plan if proposed access point is to remain.~~ Addressed

### Charlotte Area Transit System

6. ~~The site is located on CATS local express bus route #54 along IBM Drive. CATS requests the construction of ADA compliant bus stop type 60.03A. The final location will be determined during the Land Development plan review process.~~ Addressed

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Maxx Oliver 704-336-3571