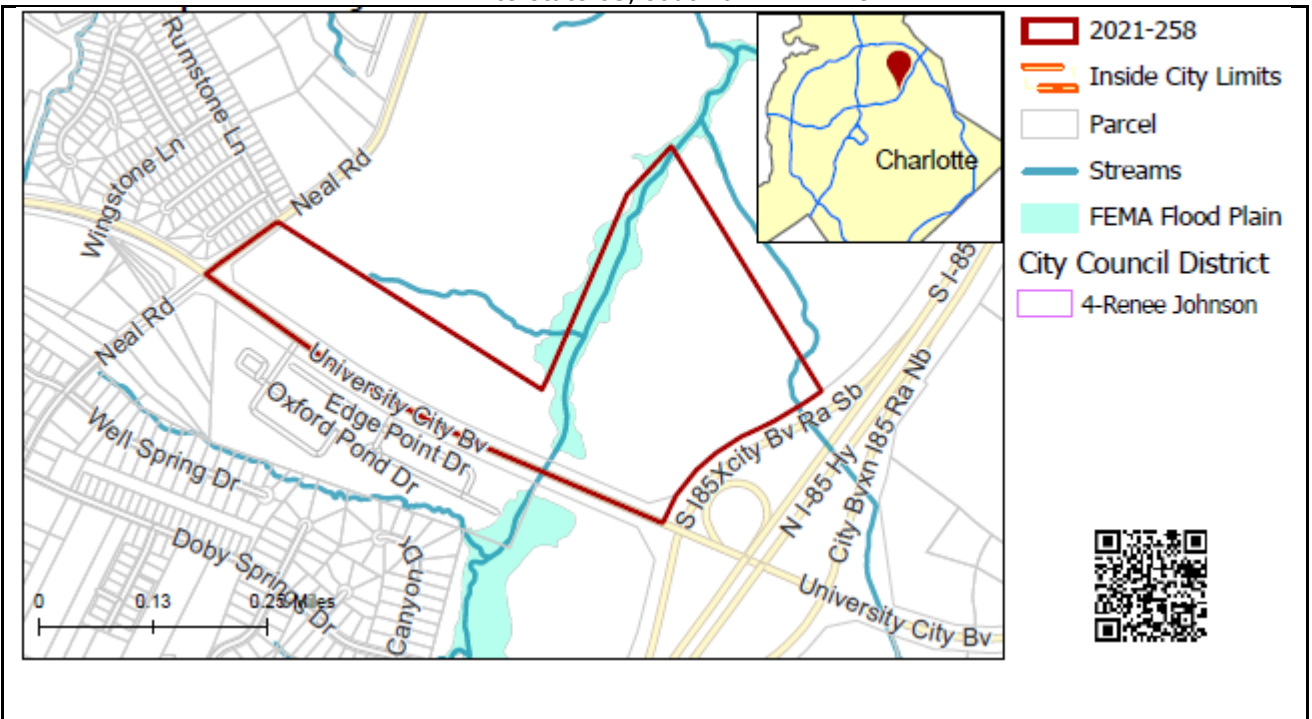


REQUEST

Current Zoning: RE-2 (research)
Proposed Zoning: R-12MF(CD) (multi-family residential, conditional).

LOCATION

Approximately 64.05 acres located along the north side of University City Boulevard, east side of Neal Road, west side of Interstate 85, south of IBM Drive.



SUMMARY OF PETITION

The petition proposes to develop a residential community of up to 450 multi-family apartments and up to 150 townhome units divided into two development areas with a density of 9.4 dwelling units per acre.

PROPERTY OWNER

IBM Corporation

PETITIONER

RD University Oaks, LLC

AGENT/REPRESENTATIVE

John Carmichael, Robinson Bradshaw, P.A.

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 upon resolution of outstanding issues related to transportation.

Plan Consistency

The petition is **consistent** with the *University Research Park Area Plan* recommendation of residential land uses in the area, but **inconsistent** with the recommendation of mixed residential, office and retail uses at the site.

Rationale for Recommendation

- While the petition does not propose a mixture of uses at the site, the larger, surrounding area has an existing mix of uses.

- The petition adds to the mix of different types of residential land uses in the area.
- Multifamily residential land uses are compatible with the existing single-family neighborhoods and institutional land uses surrounding the site.
- The petition commits to a 12-foot multi-use path along Neal Road.
- The petition commits to enhancing the pedestrian environment on the site.
- The petition commits to providing an access easement to a future greenway trail with an 8-foot sidewalk.

The approval of this petition will revise the adopted future land use as specified by the *University Research Park Area Plan*, from mixed residential, office and retail-uses to multifamily residential land uses for the site.

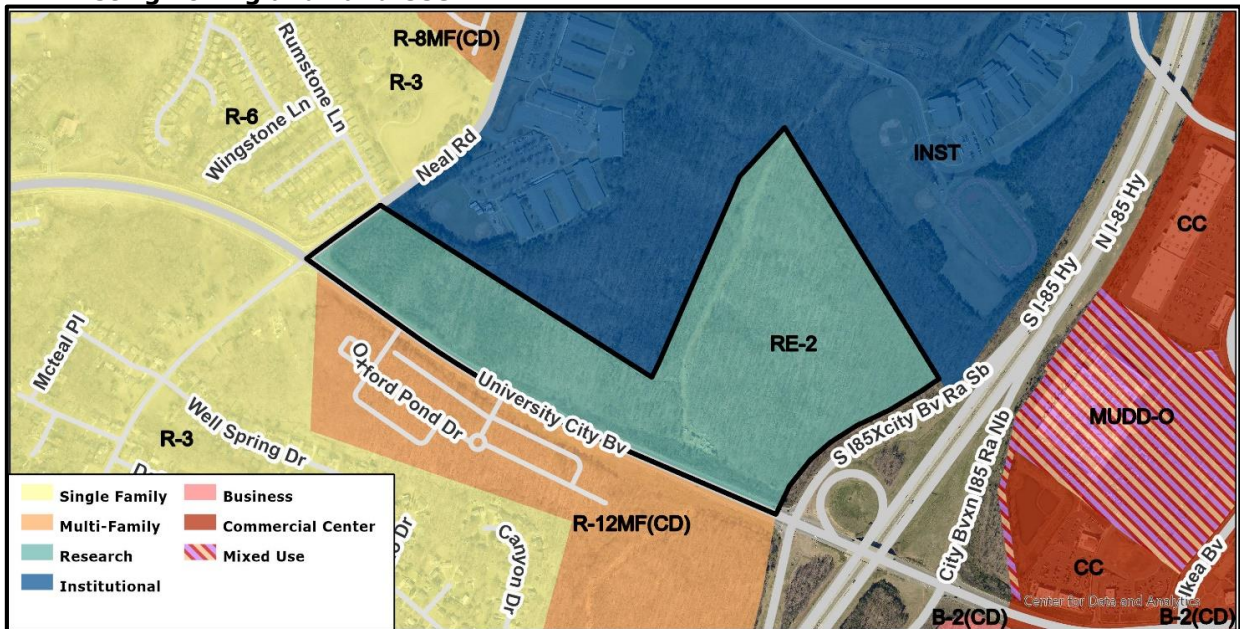
PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Allows up to 450 multi-family apartments and up to 150 townhome units divided into two development areas.
- Commits to install a minimum 8-foot-wide planting strip and a minimum 12-foot multi-use path along the Site's frontage on Neal Road.
- Constructs an additional southbound left turn lane on Neal Road with 190-feet of storage utilizing the existing pavement width where available and ensure the northbound and southbound left turn signal phasing run concurrently.
- Access A on University City Boulevard shall be a median divided entrance. Access B on Neal Road shall be a full movement vehicular access point. Access C on University City Boulevard shall be a right-in, right-out vehicular access point.
- Constructs a westbound right turn lane on University City Boulevard with 100-feet of storage.
- Constructs an eastbound left turn lane on University City Boulevard with 250-feet of storage.
- Constructs a westbound U-turn lane on University City Boulevard with 225-feet of storage.
- Commits to dedicate and convey to Mecklenburg County for future greenway purposes the 100-foot PCSO Buffer on the Site.
- Commits to provide an access easement to a future greenway trail with an 8-foot sidewalk.
- Commits to install an ADA compliant bus waiting pad on Neal Road.

• Existing Zoning and Land Use



The surrounding land uses include single family, multi-family, and three schools.



The subject property is denoted with red stars.



The property to the south across University City Boulevard is under construction. Rezoning 2020-086 will allow up to 712 multi-family and 26 townhome dwelling units.

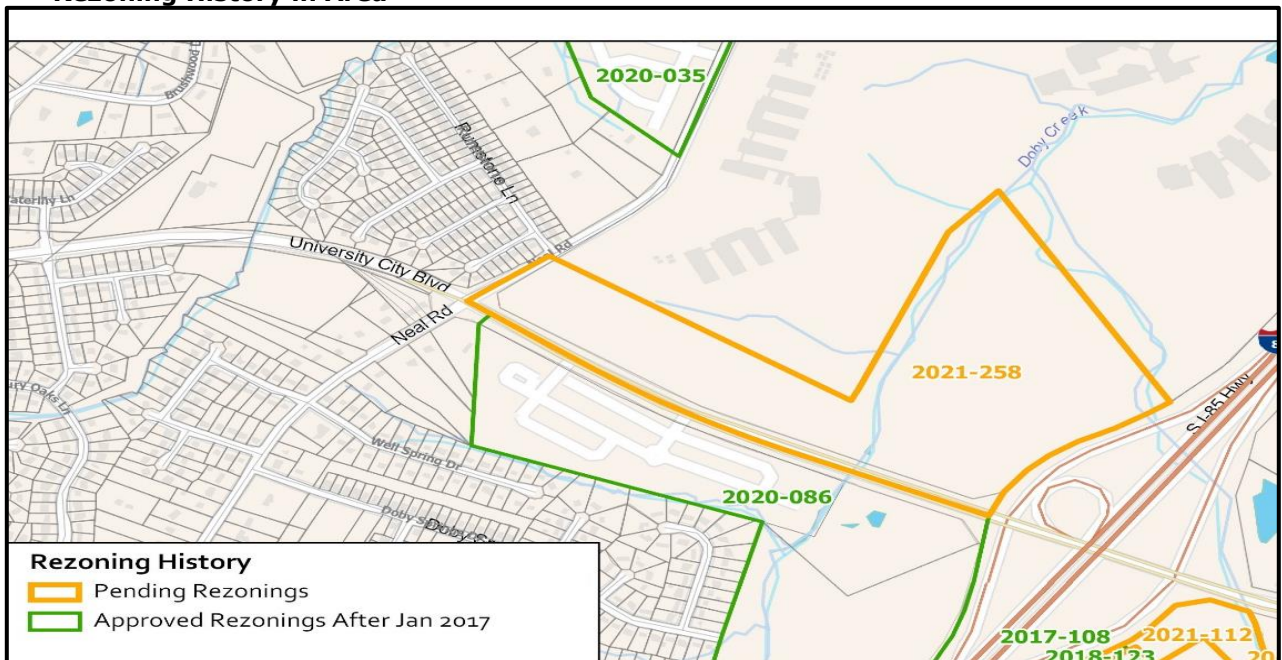


The property to the west across Neal Road is developed with single family homes.



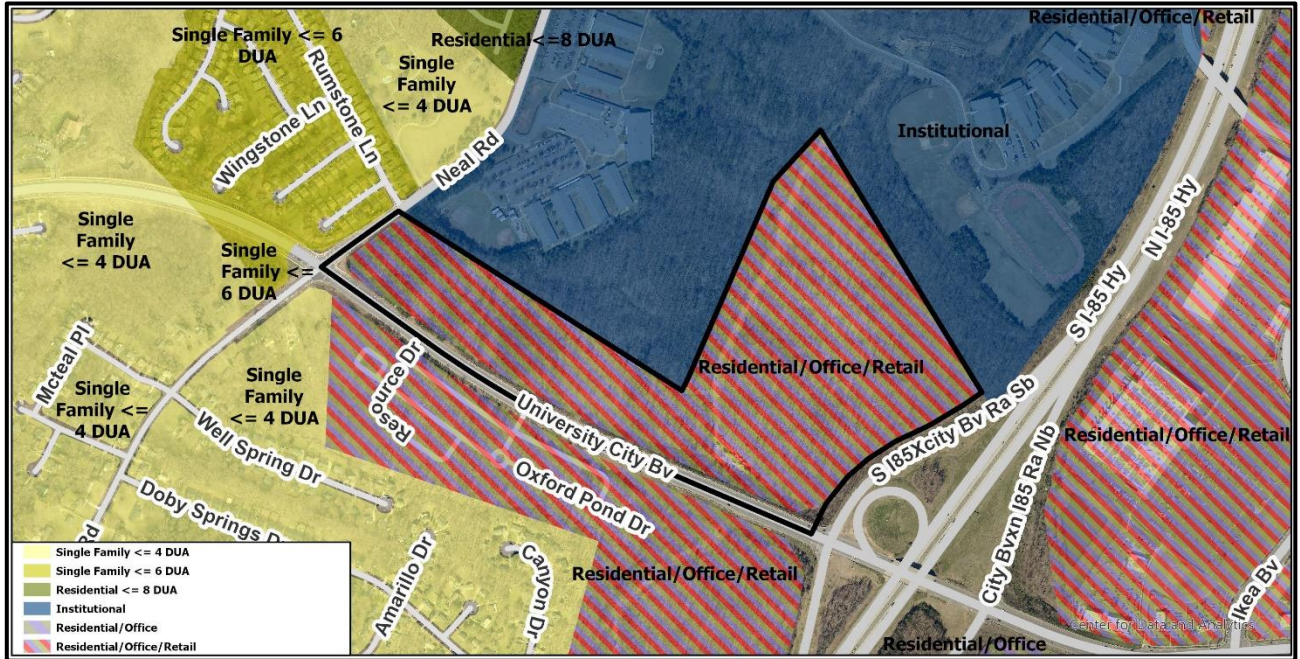
The properties to the north and west are Governor's Village, James Martin Middle, and Julius L. Chambers High.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-108	Rezoned 14.2 acres to allow n 80,000 square foot eating/drinking/entertainment establishment (Type 1 and/or Type 2) with golf-related outdoor entertainment or other uses.	Approved
2018-123	Rezoned 14.2 acres for a site plan amendment to allow two additional ground mounted signs not exceeding a total of 3,000 square feet in area and 30 feet in height, associated with an approved eating/drinking/entertainment establishment (EDEE), while retaining the existing development entitlements.	Approved
2020-035	Rezoned 49 acres to allow up to 300 residential units, broken out into 250 single family attached units and 50 multi-family units.	Approved
2020-086	Rezoned 71.94 acres to allow up to 712 multi-family and 26 townhome dwelling units.	Approved
2021-112	Proposes to rezone 15.54 acres up to 350 multifamily units, a structured parking deck, up to 20,000 square-feet of auto dealership related business, a project identification sign, and an amenity area.	Pending

- **Public Plans and Policies**



- The *University Research Park Area Plan* recommends mixed residential, office and retail uses for the site.

- **TRANSPORTATION SUMMARY**

- The site is located on University City Boulevard, a State-maintained major thoroughfare, and Neal Rd, a City-maintained minor thoroughfare. A Traffic Impact Study (TIS) was needed for this site, and CDOT and NCDOT approved the Traffic Impact Study on March 30, 2022. Based upon the findings of the Traffic Impact Study southbound dual left turn lanes are needed on Neal Road at University City Boulevard to mitigate traffic impacts by the proposed site. In addition, several turn lane improvements are required to be installed along University City Boulevard and Neal Road at the site access points.
- NCDOT is requiring a request to be submitted to the District Engineer for approval of the proposed median break. The request for median break has not been made by the petitioner as of April 18, 2022. Site plan revisions are needed to meet ordinance requirements and/or the outstanding items including, but not limited to committing to installing a 12-foot multi-use path along University City Boulevard and Neal Rd and specifying the typical sections for the proposed street network. Further details are listed below.
- **Active Projects:**
 - Rezoning 2020-086
 - The Site may be developed with up to 712 residential dwellings units together with any incidental or accessory uses allowed in the R-12MF zoning district.
 - The Site may be developed in two phases. Phase I of the site has been permitted and is currently under construction.
 - The project is responsible to install a 12-foot multi-use path along University City Boulevard as well as several offsite turn lane improvements to the surrounding roadway network.
- **Transportation Considerations**
 - See Outstanding Issues, Notes 1-5
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: X trips per day (too many uses to determine trip generation).
 - Proposed Zoning: 3,195 trips per day (based on 450 multi-family units and 150 townhome units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate zero students, while the development allowed under the proposed zoning may produce 82 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 82 students.
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Governor's Village from 94% to 98%.
 - Julius L. Chambers High from 137% to 138%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Neal Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 24-inch gravity sewer main located in the middle of the parcel going north to south. See advisory comments at www.rezoning.org
- **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:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUESTransportation

1. Revise site plan and conditional notes to commit to installing a 12-foot multi-use path along the entire property frontage of University City Boulevard per Chapter 19 and 20 of the City Ordinance. The multi-use path should be located outside of the limits of the NCDOT controlled access/right-of-way and should be located within a sidewalk utility easement. The multi-use path also meets the requirements outlined in the council adopted Charlotte WALKS and Charlotte BIKES policies. A transition will need to be provided at the intersection of Neal Road to transition bicyclist from the multi-use path to the existing on-street bike lane facilities west of Neal Road.
2. CDOT RECOMMENDS revising the site plan and conditional notes to commit to installing a traffic signal at the intersection of University City Boulevard and proposed Entry #1 with a two-stage z-crossing for pedestrians. The traffic signal is recommended by CDOT, NCDOT and Mecklenburg County to provide a safe pedestrian crossing across University City Boulevard. In addition to general vehicular and pedestrian traffic, pedestrian traffic from the proposed Doby Creek Greenway will use this intersection to cross University City Boulevard.
3. Revise conditional note C.2 to reflect that any driveway adjustment must be approved by CDOT and NCDOT.
4. Revise site plan and conditional note(s) to provide the typical sections for all internal private roads. CDOT recommends using the location residential median street.
5. Include "Fee Simple" conveyance in Transportation note 13.

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

Planner: Michael Russell (704) 353-0225

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-258

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✓
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	✓

	Goal 5: Safe & Equitable Mobility Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.	
	Goal 6: Healthy, Safe & Active Communities All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.	
	Goal 7: Integrated Natural & Built Environments Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.	N/A
	Goal 8: Diverse & Resilient Economic Opportunity Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.	N/A
	Goal 9: Retain Our Identity & Charm Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.	N/A
	Goal 10: Fiscally Responsible Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth	N/A