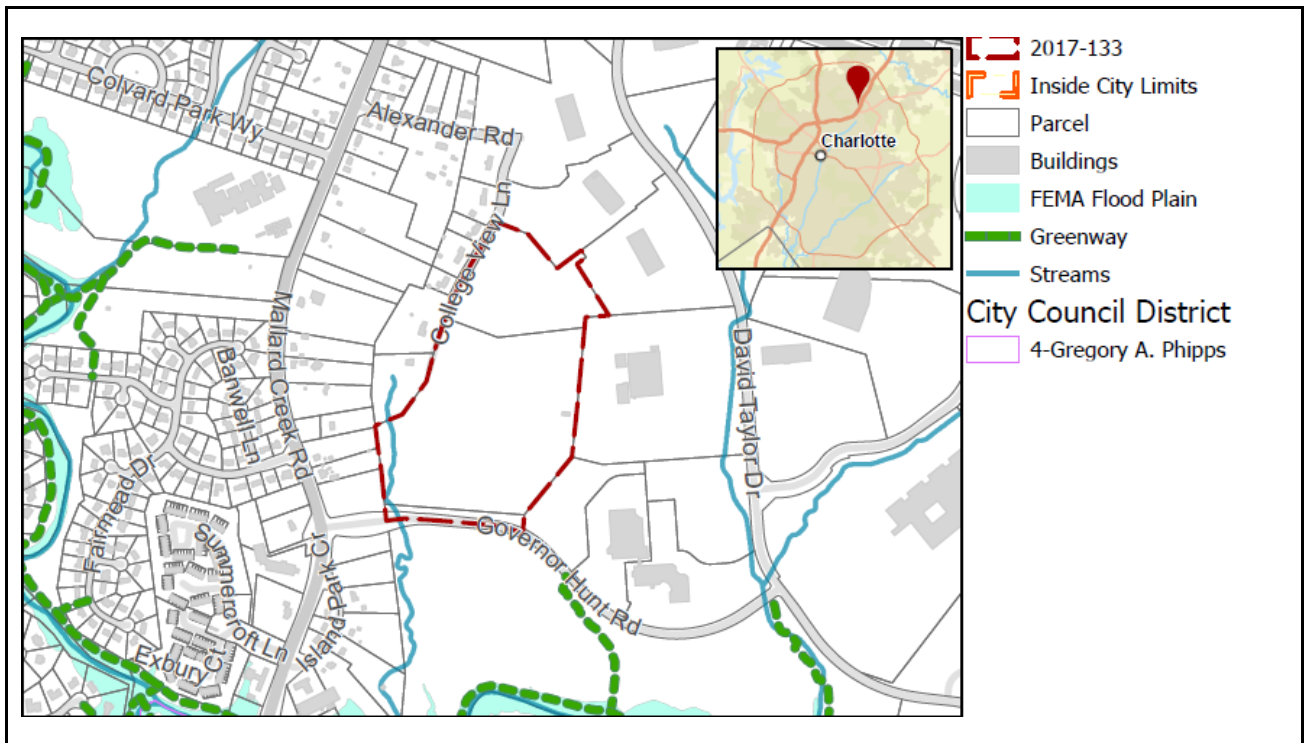


**REQUEST**

Current Zoning: RE-1 (research)  
 Proposed Zoning: UR-2(CD) (urban residential, conditional) with  
 five-year vested rights

**LOCATION**

Approximately 38 acres located on the north side of Governor Hunt  
 Road, east of Mallard Creek Road.  
 (Council District 4 - Phipps)



**SUMMARY OF PETITION**

The petition proposes to allow the construction of a for sale townhouse community on vacant land located in University Research Park.

**PROPERTY OWNER**

Crescent Communities, LLC

**PETITIONER**

Mattamy Homes

**AGENT/REPRESENTATIVE**

Collin Brown, K&L Gates LLP

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
 Number of people attending the Community Meeting: 15

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of the outstanding transportation issue.

Plan Consistency

The petition is inconsistent with the *University Research Area Plan* recommendation for office land use. However, the *General Development Policies* support the proposed density of 4.40 units per acre.

Rationale for Recommendation

- Although the area plan recommends office uses for this site, the University Research Park has continued to evolve since the plan was adopted in 2010 with the addition of multi-family into the predominately office and research environment.
- If the site is to be considered for residential, the *General Development Policies* (GDP) indicate that a density of up to six units per acre is appropriate.

- This proposal will provide another housing choice in the Research Park by allowing townhome development close to numerous employment opportunities.
- The proposed residential development will have significantly lower traffic impact than the office development recommended by the plan.
- The petition also commits to an internal network of streets that will help support City Council's connectivity goals.
- The petition provides an extensive open space network including a linear park, pocket park, pedestrian trails, and a large common open space.

## PLANNING STAFF REVIEW

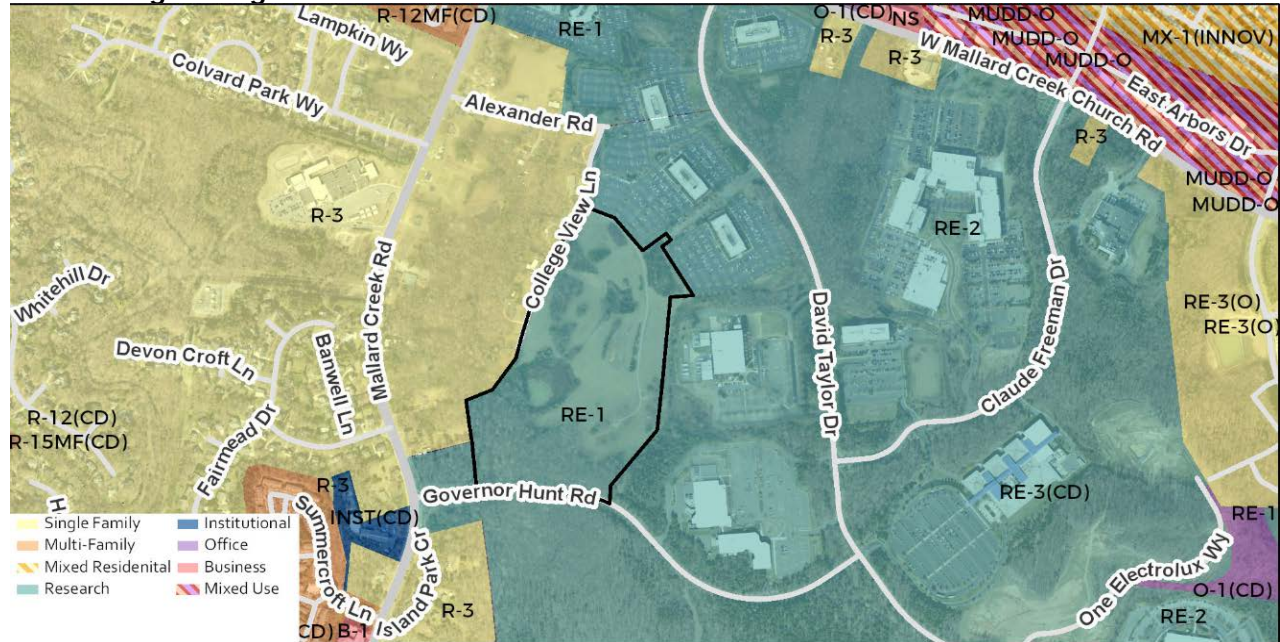
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 167 for sale townhomes (combination of alley loaded and front loaded units) at a density of 4.40 units per acre.
- Maximum building height of three stories or 45 feet.
- Provides access via Governor Hunt Road and a proposed private street connecting to an existing office development to the north.
- Provides future stub connections to the east and to the west.
- Notes that a street connection to College View Lane will not be made until such time as the at least two parcels immediately west of College View Lane are rezoned to a zoning district other than the current R-3 (single family residential) zoning district.
- Provides an internal network of public and private streets with six-foot sidewalks and eight-foot planting strips along both sides of the streets, on-street parking and guest parking areas.
- Commits to substantially completing all transportation improvements before the site's first building certificate of occupancy is issued.
- Commits to architectural standards regarding entrances; pitched roofs; usable porches or stoops; corner/end units; recessed garage doors; location of individual townhouse walkways; and limits the number of units per building to five.
- Provides front and alley loaded cross sections.
- Proposes refuse collection throughout site in the form of roll-out containers but also shows proposed location of dumpster area in the event roll-out containers are not utilized.
- Provides Class A and Class C buffers along property lines.
- Identifies 50-foot and 100-foot undisturbed PCSO buffers and tree save areas, existing wetlands on site, and potential water quality area and existing pond.
- Provides a 100-foot buffer along Governor Hunt Road.
- Provides pedestrian trail through environmental quality areas.
- Illustrates open space locations and concepts (i.e. roundabout park concept and pocket park concept, linear park).



- Existing Zoning and Land Use



- The site is currently vacant and surrounded by single family homes, offices, and commercial uses. The site lies just inside the Research Park and was rezoned from RE-2 to RE-1 via petition 1995-12(C) in order to allow more flexibility for development.



The subject property is vacant.



To the east of the property are single family homes.





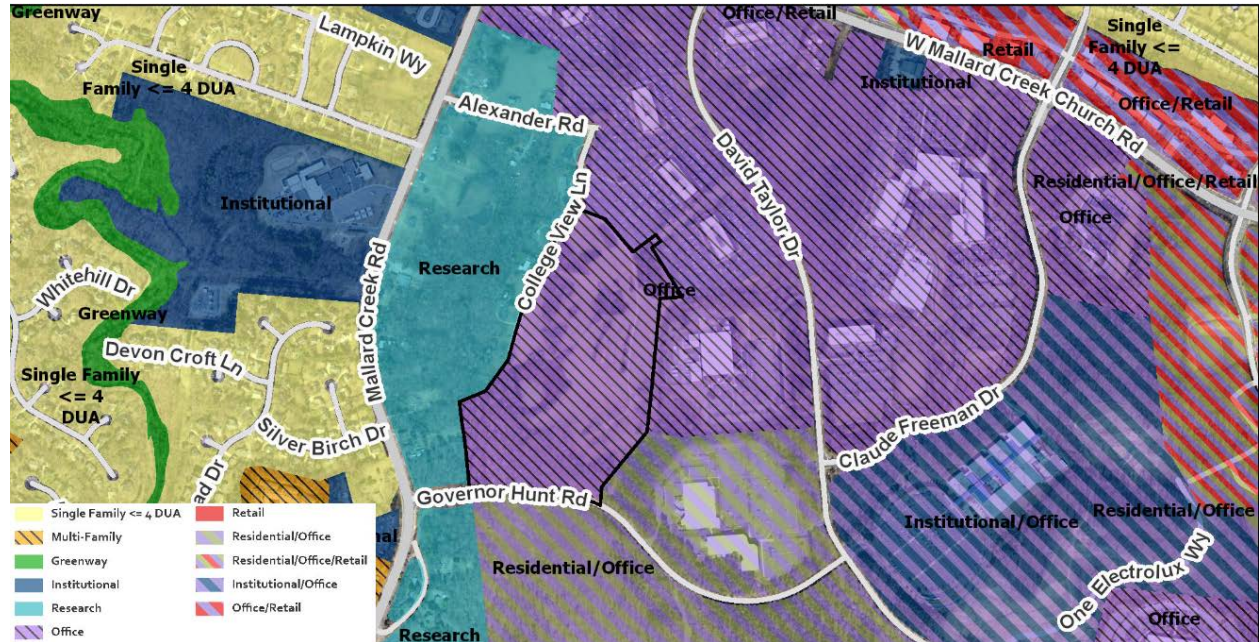
Properties to the east and north are developed with office park uses.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-132	Rezone approximately 21 acres to allow up to 97 for sale townhouse units.	Pending
2017-185	Proposed rezoning for approximately 11.75 acres to allow up to 260 multi-family residential units.	Pending
2016-139 2016-115 2015-015 2014-035 2013-110	There have been multiple rezonings in the immediate area for multi-family residential and non-residential uses.	Approved

### • Public Plans and Policies



- The *University Research Park Area Plan* (2010) recommends office land use for this site.
- The plan specified the intent for this area is for it to remain a predominately office district, and as market conditions create more demand for multi-tenant office space, this area should first be considered for those uses. Reuse of existing buildings is encouraged, and eventually infill opportunities should accommodate additional space needs.
- The *General Development Policies* (GDP) provides policy guidance for evaluating proposed residential densities greater than four units per acre. The petition meets the *General Development Policies* locational criteria for consideration of up to 6 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 6 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	2
Connectivity Analysis	1
Road Network Evaluation	0
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 10</b>	<b>Total Points: 10</b>

### • TRANSPORTATION CONSIDERATIONS

- The site is bordered by a minor collector and a local street within the University Research Park. ~~The site plan commits to an internal network of streets that will help to develop the overall connectivity of the area.~~
- See Outstanding Issues, Note 1, Requested Technical Revisions, Notes 2 and 3.
- **Vehicle Trip Generation:**  
 Current Zoning:  
 Existing Use: N/A trips per day (based on vacant land).  
 Entitlement: 7,520 trips per day (based on 993,168 square feet of office).  
 Proposed Zoning: 1,010 trips per day (based on 167 townhomes).

### 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 Department of Solid Waste Services:** The site plan shows locations for trash and recycling stations in accordance with Solid Waste requirements
- **Charlotte Fire Department:** No on street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would



generate 0 students, while the development allowed under the proposed zoning will produce 36 students.

- The proposed development is projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
  - Mallard Creek Elementary from 93% to 95%
  - Ridge Road Middle from 119% to 120%
  - Mallard Creek High from 123% to 123%.
- **Charlotte Water:** Charlotte Water has water system infrastructure accessible for the rezoning boundary via an existing 12-inch water distribution main located along Governor Hunt Road and an existing six-inch water distribution main located along College View Lane.

In relation to the parcels under review, Charlotte Water has sanitary sewer system accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along College View Lane and within the rezoning boundary to Governor Hunt Road. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. A Willingness to Serve application has been received and currently under review. Correspondence will be maintained with the applicant.

- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets (Governor Hunt) without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at the City Arborist's office for a tree planting permit once plans have been approved by the City and before planting trees in the NCDOT right-of-way.

The location of structures/driveways/other items illustrated on the site plan are conceptual in nature and do NOT confirm or imply authorization by the City to remove any City trees located in street right-of-way. No trees can be removed from the right-of-way without explicit authorization from the City Arborist or his designee.

The petitioner shall submit a tree survey for all trees two-inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight-inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.

Petitioner is required to provide adequate soil volume/planting space for all trees required by the Tree Ordinance; locations of driveways on all public streets cannot conflict with the soil volume/planting space requirements. Alternative solutions may be required to provide adequate soil volume/planting space.

- **Erosion Control:** No outstanding issues.
- **Land Development:** No outstanding issues.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

## OUTSTANDING ISSUES

### Transportation

1. The petitioner should revise the site plan and conditional note(s) to secure a Cross Access Agreement from site access "B" to David Taylor Drive between parcel numbers 04716801 and 04716827. **Petitioner responded that a Cross Access agreement is in place. CDOT also requests the petitioner implement 8' planting strips and six-foot sidewalks connecting the site access "B" to David Taylor Drive through these same parcels. Petitioner responded that that they do not want a sidewalk commitment at this time. There are ongoing negotiations between the petitioner, UCP, URP and the owners of the properties adjacent to this private street. Some of those discussions are about this sidewalk installation being done by others. Therefore, Mattamy does not want to include the sidewalk commitment in the zoning at this time.**

## REQUESTED TECHNICAL REVISIONS

### Transportation

2. ~~The petitioner should dimension the curbline location on the plans and in the conditional notes.~~ **Addressed**
3. ~~The petitioner should clarify Note 4 under Transportation that the right-of-way for the new street to College View Lane will be dedicated at the time the street is constructed.~~ **Addressed**

**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 Housing and Neighborhood Services Review
  - Charlotte Department of Solid Waste Services Review
  - Charlotte Fire Department Review
  - Charlotte-Mecklenburg Schools Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner:** Claire Lyte-Graham (704) 336-3782