

## Petition 2018-075 by Fountain Residential Partners

### To Approve:

This petition is found to be consistent with recommended land use for the subject property in the *Northeast District Plan*, based on the information from the staff analysis and the public hearing, and because:

- The plan recommends multi-family residential.

However, the proposed density is found to be inconsistent with the *Northeast District Plan*, based on the information from the staff analysis and the public hearing, and because:

- The plan recommends densities of up to 8 and up to 22 dwellings per acre for different sections of the property.

([However, we find](#)) this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The continuing growth of the UNC Charlotte campus and surrounding area, as well as the area's evolution to a denser and more walkable form represent a change of conditions warranting reconsideration of the density proposed in the area plan; and
- The site is located just beyond the boundaries of the *University City Area Plan* (2015) to the west and the *Rocky River Area Plan* (2006) to the south. These other plans are more recent and reflect higher density uses in proximity to this site which is still covered by the much older *Northeast District Plan* (1995); and
- The Boulevard 98 apartment development adjacent to the west across Mallard Creek Church Road was rezoned in 2012 at a density similar to the subject proposal; and
- Mallard Creek Church Road adjacent to the south is proposed for a grade separated southward extension across University City Boulevard, which is a major change in condition within the area, supportive of significantly increased density at the subject site; and
- The site is within close proximity to UNC Charlotte's main campus and the Carolina's Medical Center University Hospital, and the proposed development could offer a conveniently located housing choice for students and employees; and
- The site immediately abuts 1990's garden apartments to the north and a retail shopping center to the east, such that it does not impact any adjoining lower density residential neighborhoods.

The approval of this petition will revise the adopted future land use map as specified by the *East District Plan*, from residential at up to 8 and 12 dwellings per acre, to residential greater than 22 dwelling units per acre for the site.

**To Deny:**

This petition is found to be is consistent with recommended land use for the subject property in the *Northeast District Plan*, based on the information from the staff analysis and the public hearing, and because:

- The plan recommends multi-family residential.

However, the proposed density is found to be is inconsistent with the *Northeast District Plan*, based on the information from the staff analysis and the public hearing, and because:

- The plan recommends densities of up to 8 and up to 22 dwellings per acre for different sections of the property.

([However, we find](#)) this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

**Motion:**  
**Approve or Deny**  
**Maker:**  
**2<sup>ND</sup>:**

**Vote:**  
**Dissenting:**  
**Recused:**