



Current Zoning: R-4 (single family residential) and RE-2 (research)  
Proposed Zoning: UR-2(CD) (urban residential, conditional) and R-8MF(CD) (multi-family residential, conditional)

Approximately 49 acres located on the south side of IBM Drive, west of Neal Road, and north of University City Boulevard.

The petition proposes to rezone approximately 49 acres in University City to accommodate a 300-unit mixed residential development and to allow all other incidental and accessory uses permitted within the R-8MF district at a density of 6.12 dwelling units per acre (DUA).

IBM Corporation  
CCP University, LLC  
Collin Brown & Brittany Lins

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 6

Staff recommends approval of this petition.

## Plan Consistency

The petition is **inconsistent** with the *Northeast District Plan (1996)* recommendation for single family residential uses at up to four DUA. However, the increased density is supported by the *General Development Policies* which support up to eight units per acre for this site.

### Rationale for Recommendation

- This petition proposes up to 250 single family attached (townhome) units and 50 multi-family dwelling units, with a density of 6.1 dwelling units per acre (DUA). While this petition is inconsistent with the *Northeast District Plan's (1996)* recommendation of single family residential uses up to 4 DUA, the petition is supported by the *General Development Policies* which support up to 8 DUA for this site.
- This petition is adjacent to recently approved and currently pending rezonings that were also rezoned to R-8MF(CD) to build single and multi-family housing. Petition 2019-108 was rezoned from R-3 to R-8MF(CD) in 2019, and is currently under the pending rezoning petition 2020-102, along with two additional adjacent parcels zoned R-3 and RE-2.
- This petition is adjacent to the area boundary for the *University Research Area Plan*, which favors higher density in the mixed-use designated areas directly adjacent to this petition. A slightly higher density of 6.1 DUA and multi-family housing options are an appropriate transition from the adjacent mixed use area to the lower density, already established single family neighborhoods to the south and west of this petition.
- This petition will increase the number and diversity of housing units within walking distance to the four schools across Neal Road and to the employment center University Research Park.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan (1996)*, from single family residential up to 4 DUA to residential up to 8 DUA for the site.

## PLANNING STAFF REVIEW

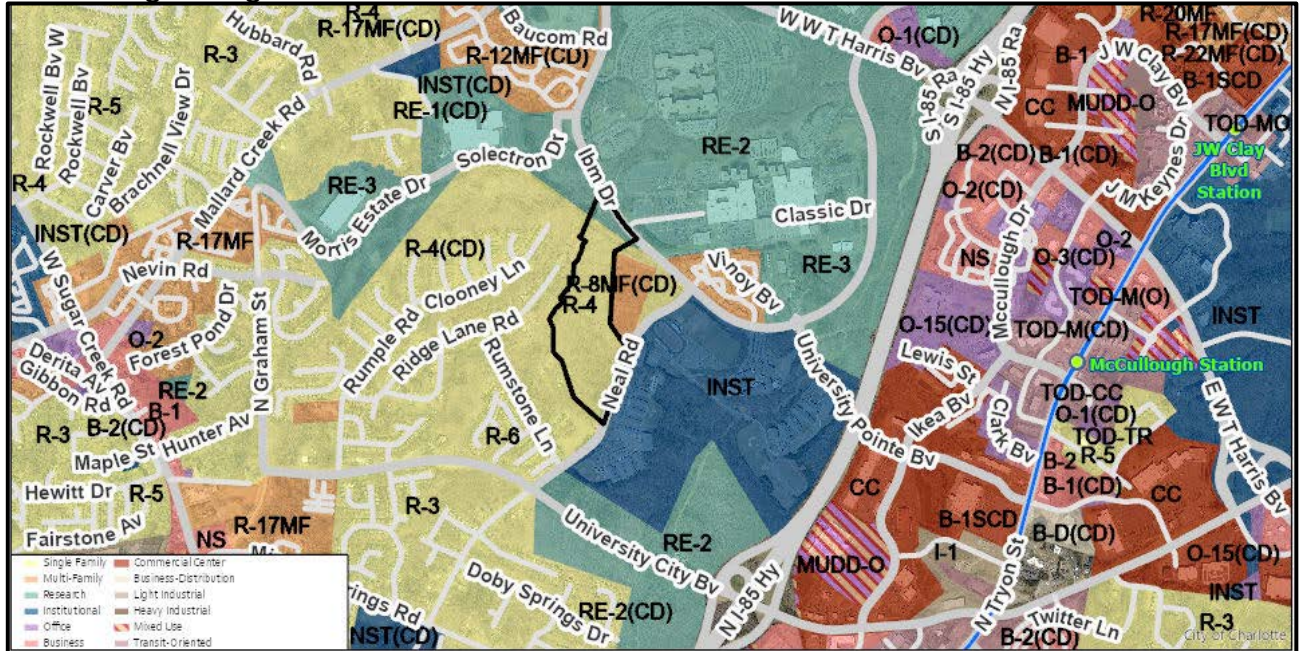
### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Commits to the construction of up to 300 residential units, broken out into 250 single family attached units and 50 multi-family units.
- Proposes a maximum height of three stories/45 feet for all structures on site.
- Proposes a mixture of public streets and private drives to accommodate the proposed development.
- Commits to a six-foot wide sidewalk and eight-foot wide planting strip along the site's internal public streets and the site's frontage of Neal Road and IBM drive.
- Architectural standards that include:
  - Preferred building materials that exclude only concrete masonry units not architecturally finished.
  - Pitched roof standards for the attached single-family units if a flat roof style is not employed.
  - Walkway connections from all residential entrances to sidewalks.
  - Entrances within 15 feet of the sidewalk shall have a raised or lowered entrance a minimum of 12 inches.
  - Recessed garage doors from 12-24 inches. Each townhome unit provided with a garage for at least one car.
  - Limiting the number of total townhomes within a structure to six units.
  - Architectural enhancements for end units to include enhanced planting and a minimum number of windows and shutters.
  - Massing designed to break up long, monolithic building forms through modulations/articulations of facades.
- Full capped freestanding light fixtured not to exceed 21-feet in height.



- Existing Zoning and Land Use



There has been no historic rezoning for this site. Historical aerials show this site to be wooded from 1978 onward. The petition is located in an area near a major employer (IBM) and east of an area that has more single-family residences along W. Sugar Creek Road and the Derita neighborhood. The site is just west (and separated by Interstate 85) from the major commercial center of University City. Vance High School is located across from the site along Neal Road.



General location of site denoted by red star.



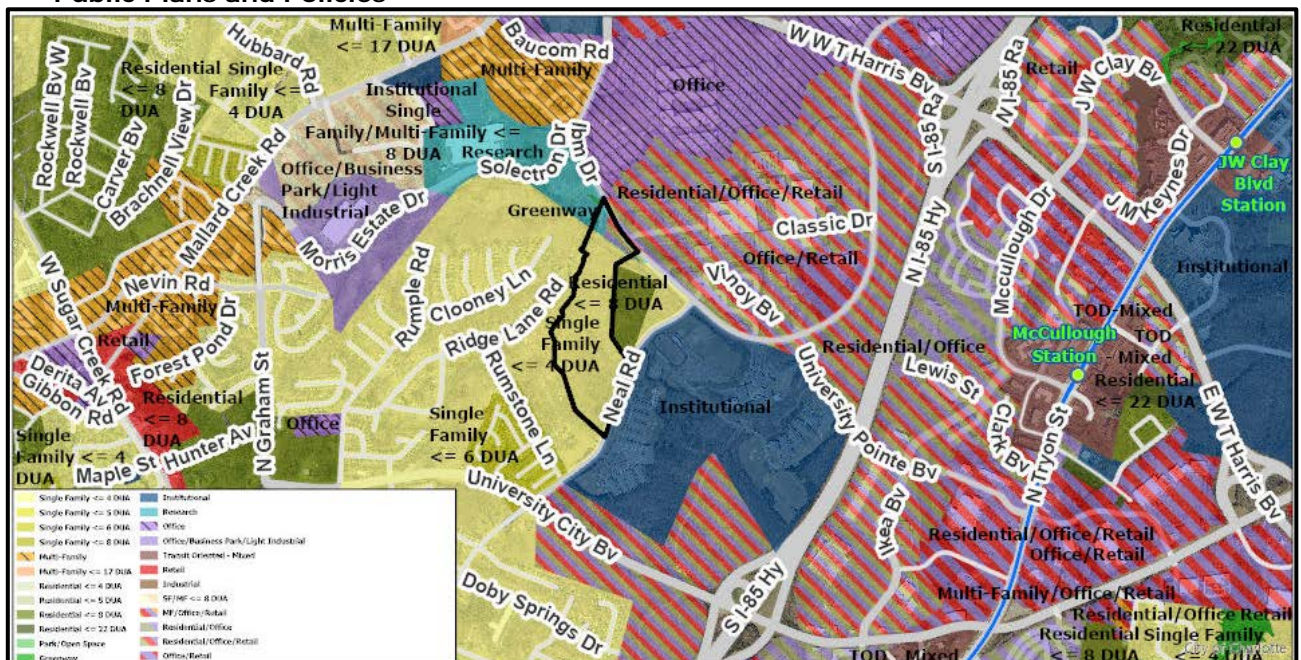


Streetview from IBM Drive looking west toward the site.



The property to the west of the site along IBM Drive is developed with multi-family apartments.





- The *Northeast District Plan (1996)* calls for single family residential uses up to 4 DUA.
- 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 8 dwellings per acre as illustrated in the table below.

Assessment Criteria	Density Category – up to 8 dua
Meeting with Staff	1
Sewer and Water Availability	2
Land Use Accessibility	1
Connectivity Analysis	2
Road Network Evaluation	1
Design Guidelines	4
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 11</b>	<b>Total Points: 11</b>

- **TRANSPORTATION SUMMARY**

- The site is located on two minor thoroughfare roads. CDOT requested a Traffic Impact Study (TIS) as part of the first review, since the site is proposing to add a fourth leg to the existing signalized intersection at IBM Drive; therefore, it triggered a traffic impact study under CDOT Traffic Impact Study Guidelines. CDOT originally approved the TIS 8/24/2020, which includes commitments to construct turn lanes at the proposed access points located on both Neal Road and IBM Drive. As requested by CDOT 9/30/20, the petitioner is making final revisions to the TIS to update the street network and transportation improvement commitments at revised intersection locations. Conditional notes need to be updated to accurately reflect the updated TIS. CDOT continues to request the petitioner to coordinate the street network design with the adjacent rezoning petition 2020-102, specifically concerning stub roads. The petitioner provided CDOT with a queuing analysis for the existing school driveways on Neal Road, to fully understand the traffic situation and to adequately locate the driveways and determine turn-lane improvements. As a result, roadway improvements will be made on Neal Road to increase the storage capacity for vehicle queuing for pick-ups and drop-off times. CDOT is continuing to request the petitioner to support a 12-foot multi-use path, with dedication of right-of-way along IBM Drive, in accordance with Charlotte BIKES, to tie-into the requested bike facility issued within rezoning petition 2020-102. Within the most recent site plan dated 9-28-20, the petitioner has committed to constructing a 12-foot multi-use path, along the site's Neal Road frontage.
- **Active Projects:**
- University Research Park Sidewalk – The project is installing sidewalk along IBM Drive from University Oaks to the adjacent multi-family property.

- **Transportation Considerations**

- ~~See Outstanding Issues, Notes 2 & 4~~ **ADDRESSED**

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant land)

Entitlement: 1,935 trips per day (based on 196 single family dwelling units)

Proposed Zoning: 2,125 trips per day (250 townhomes, 50 apartments)

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 102 students, while the development allowed under the proposed zoning may produce 80 students. Therefore, the net decrease in the number of students generated from existing zoning to proposed is 22.
  - 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 104% to 108%

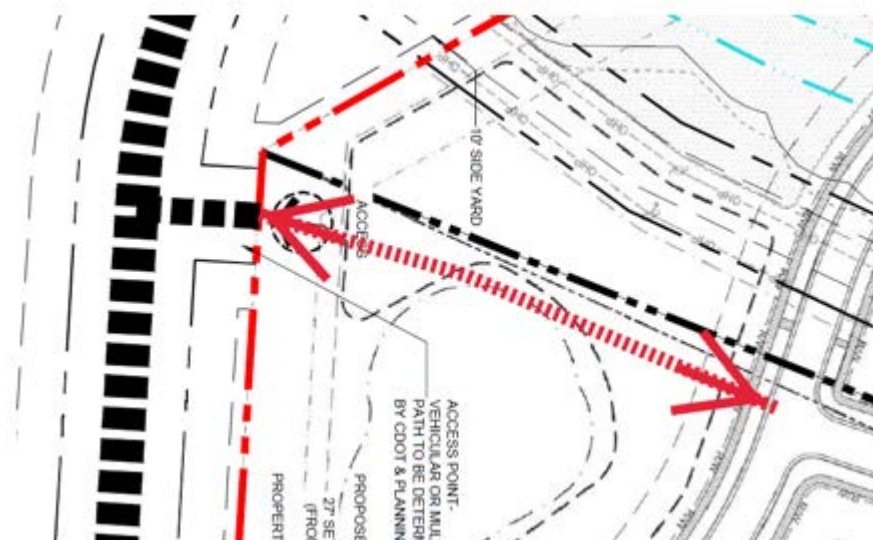
- Zebulon Vance High remains at 129%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Neal Drive and 12-inch water distribution main located along IBM Drive. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. Due to the limited project details that were provided, it is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** See Requested Technical Revisions, Note 5-Rescinded

## OUTSTANDING ISSUES

### Transportation

1. ~~The petitioner should revise the site plan and conditional notes to include the approved TIS roadway mitigations.~~ **ADDRESSED**
2. ~~The petitioner should include rezoning petition 2020-102's street network within the revised plan to coordinate tie-in points.~~ **ADDRESSED**

~~New comment (site plan dated 9-28-20) The petitioner needs to revise the site plan to coordinate the street network connection, shown below, with rezoning petition 2020-102, which is labeled incorrectly as "approved rezoning petition #2019-108."~~ **ADDRESSED**



3. ~~The petitioner needs to provide an existing queuing analysis for the school driveways on Neal Road to fully understand the traffic situation and to adequately locate the driveways.~~ **ADDRESSED**
4. ~~The petitioner should revise the site plan and conditional notes to revise the 6-foot sidewalk to a 12-foot multi-use path in accordance with Charlotte BIKES, along Neal Road and IBM Drive, to tie into the requested bike facility issued within rezoning 2020-102.~~ **ADDRESSED**

~~New comment (site plan dated 9-28-20) The revised site plan should commit to dedicating right-of-way for a future 8-ft planting strip and 12-ft multi-use path, along the site's IBM Drive frontage.~~ **ADDRESSED**

## REQUESTED TECHNICAL REVISIONS

### Site and Building Design

5. ~~MCPR requests the petitioner consider dedicating and conveying to Mecklenburg County the minimum 1.12 acre "Amenity Area" for a public neighborhood park. This petition is in a gap area for public open space.~~ Rescinded
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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Michael Russell (704) 353-0225