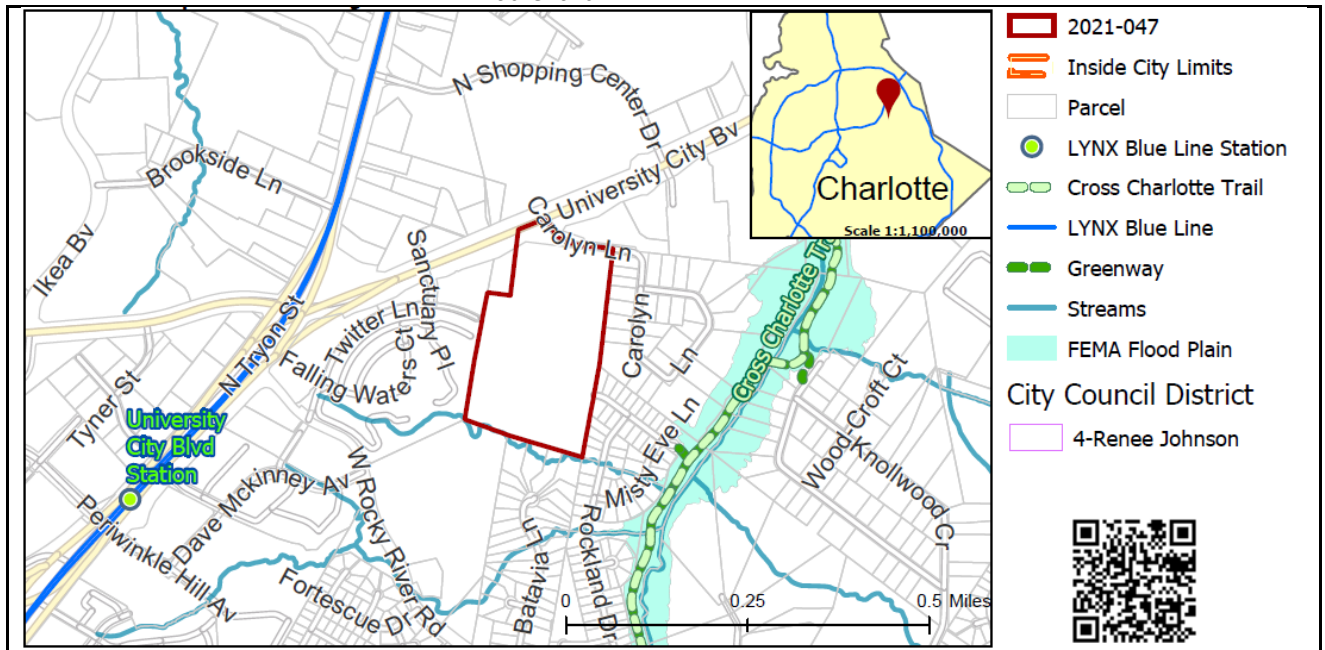


**REQUEST**

Current Zoning: UR-2 (CD) (urban residential, conditional)  
Proposed Zoning: UR-2 (CD) SPA (urban residential, conditional, site plan amendment)

**LOCATION**

Approximately 27.410 acres located off Carolyn Lane and Joe Whitener Road with frontage and access to University City Boulevard.



**SUMMARY OF PETITION**

The petition proposes a site plan amendment to approved petition 2019-152 to amend language related to transportation and building design.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

Carolyn Associates Owner, LLC c/o The Spectrum Companies  
Carolyn Associates Owner, LLC  
Keith MacVean, Moore & Van Allen

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Virtual Community Meeting: 3

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Newell Small Area Plan* (2002) and *University City Area Plan's* (2015) recommendation for residential uses up to 17 dwelling units per acre (DUA) as amended by petition 2019-152.

Rationale for Recommendation

- The request compliments the adopted vision for the *University City Area Plan* in that it improves accessibility by maximizing the use of existing local street connections to provide a high level of mobility and multi-modal access. The project accomplishes that by committing to continue construction, through a reimbursement agreement with the City, on the Dave McKinney Avenue extension

connecting the site and surrounding neighborhood directly to the University City Boulevard Blue Line Station.

- The proposal achieves the *Newell Small Area Plan's* land use objective by providing a broad range of housing.
- The proposed intensity is reasonable considering the site's proximity (over .5 mile but under .7 miles) to the University City Boulevard Blue Line Station.
- The proposed mixture of residential uses is an appropriate transition between student housing to the west of the site and detached single family homes to the east.

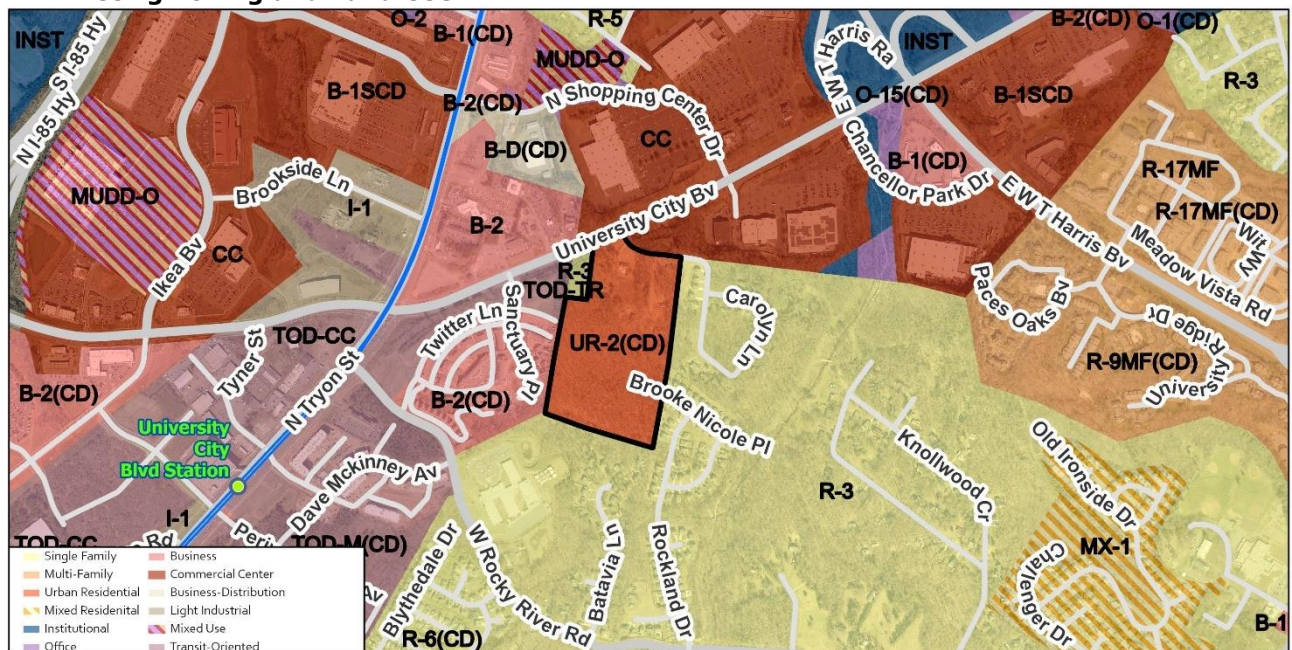
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The petition carries over all entitlements from approved petition 2019-152 but makes the following minor adjustments:
  - Clarifies minimum and maximum height on site by eliminating references to height measured in stories.
  - Commits to providing up to 7,000 SF of improved open space within the illustrated open space envelope.
  - Refines the unit mixture (townhomes versus multi-family units) and removes the limitation of 14 principal buildings that was referenced on the approved plan from 2020.
  - Revises note regarding the Dave McKinney Avenue extension from W. Rocky River Road to the connection point to the southern property line of the rezoning boundary. That revision notes that if a reimbursement agreement is not finalized then the petitioner will grant easements to the City to complete that connection and extends the sunset date for the developer reimbursement agreement to July 1, 2022.
  - Regarding design guidelines, clarifies that note 6.d (which addresses raised shared entryways treated through at least 5 different elements) does not apply to the townhome units constructed.
  - Clarifies that if ventilation grates are provided along first floor building façade facing a public street that they shall be decorative in nature.

- **Existing Zoning and Land Use**



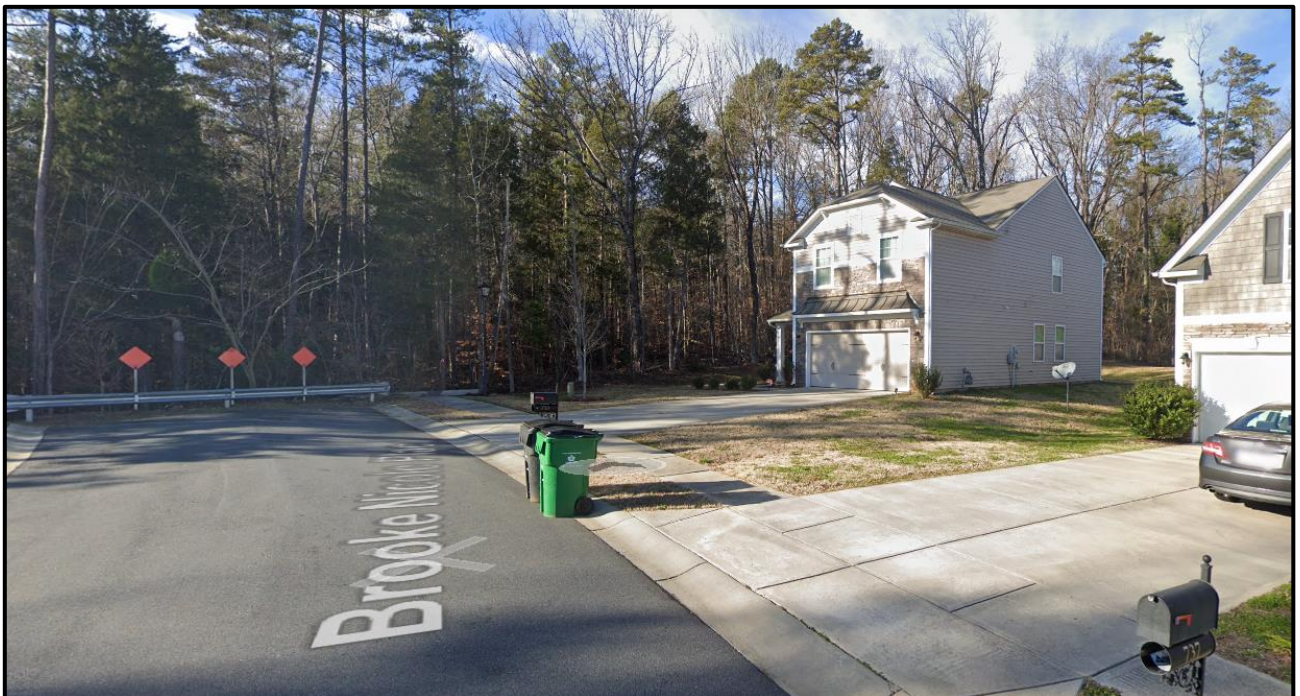
This rezoning petition is located in a largely residential area off of Carolyn Lane and Joe Whitener Road and contains a small number of single family homes. The property was most recently rezoned for multi-family and single family attached dwelling units through petition 2019-152. There are multiple types of



land uses surrounding the subject property, with detached single family homes to the east and south, student housing to the west, and commercial uses to the north across from University City Boulevard.



General location of rezoning boundary denoted by red star.



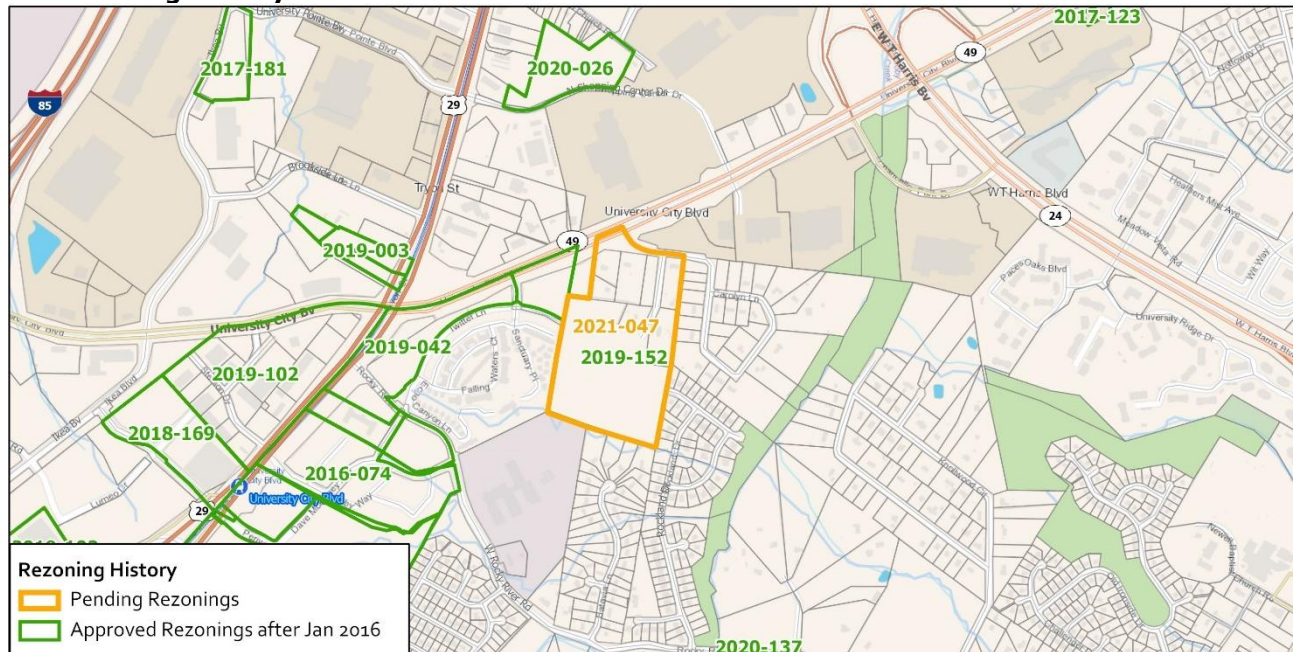
Street view of Brooke Nicole Place and single family homes within that neighborhood. This petition proposes to tie into Brooke Nicole Place at its terminus on the left portion of the image.





Access to the subject property proposed to be in the vicinity of Carolyn Lane (looking SE from University City Boulevard).

- Rezoning History in Area**

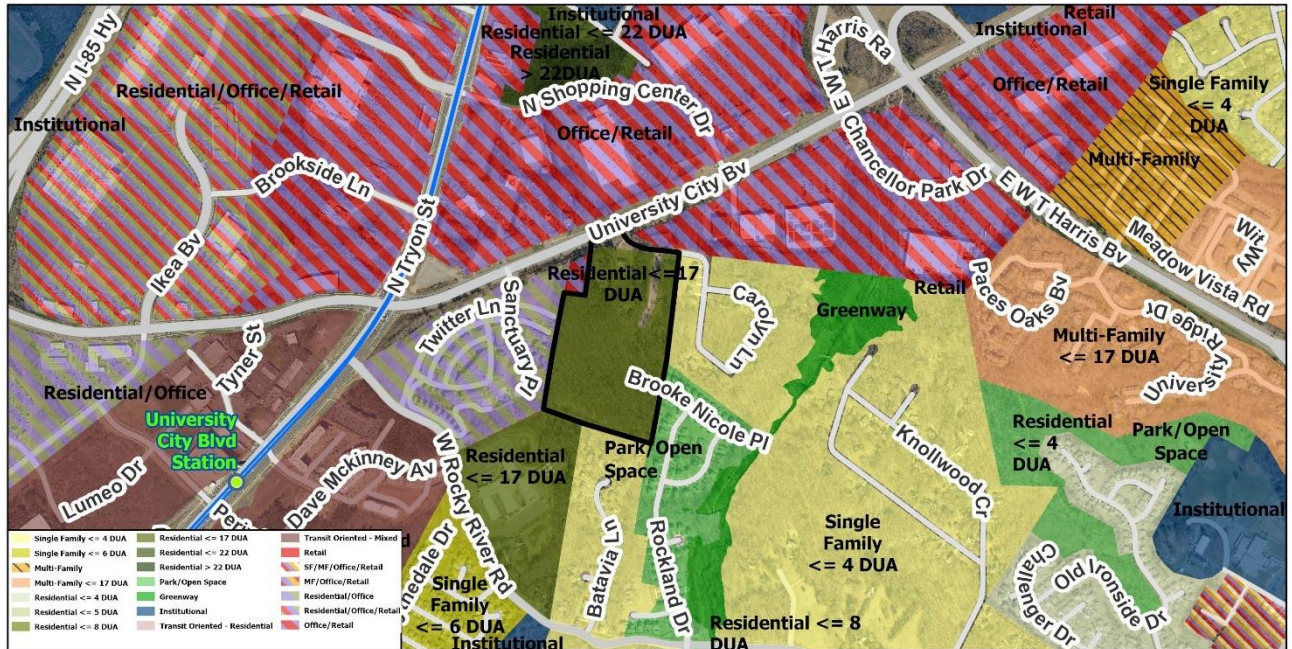


Petition Number	Summary of Petition	Status
2020-026	Petition to permit up to 200 affordable units.	Approved
2019-152	Previous approved rezoning for the site subject to the 2021-047 SPA.	Approved
2019-042	Petition to allow all uses within TOD districts to develop a vacant parcel in the University City Area.	Approved
2019-003	Petition to allow all uses within the TOD-CC district.	Approved
2018-169	City-sponsored text amendment to establish new TOD districts and to revise the zoning map by changing existing TOD districts to the new TOD-CC designation.	Approved



2017-181	Site plan amendment to allow the construction of hotel and increase the number of hotels at this development to three.	Approved
2016-074	Petition to rezone vacant property to allow all uses permitted within the TOD-M district.	Approved
2015-047	Petition to rezone vacant property to allow all uses permitted within the TOD-M district.	Approved

### • Public Plans and Policies



- The *Newell Small Area Plan* (2002) and *University City Area Plan's* (2015) both recommend residential uses up to 17 DUA.

### • TRANSPORTATION SUMMARY

- The petition is located adjacent to University City Boulevard, a State-maintained major thoroughfare, and Carolyn Lane, a City-maintained local street. The site also abuts the planned Dave McKinney Blvd Extension located at the property's southwest limits. This site received approval under rezoning petition 2019-152 and has been resubmitted to address some items not covered previously. This rezoning petition doesn't change the entitlements or transportation commitments approved under rezoning petition 2019-152. CDOT has no outstanding issues.

#### • Active Projects:

- McKinney Blvd. Extension
  - Extend Dave McKinney Blvd. from Rocky River Rd. west to this site.
  - Status: in design
  - PM: Stephen Tosco (Stephen.tosco@charlottenc.gov)

#### • Transportation Considerations

- No outstanding issues.

#### • Vehicle Trip Generation:

Current Zoning:

Existing Use: 70 trips per day (based on five dwellings).

Entitlement: 2,210 trips per day (based on 405 dwelling units).

Proposed Zoning: 2,210 trips per day (based on 405 dwelling 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 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 110 students, while the development allowed under the proposed zoning may produce 103 students. Therefore, the net decrease in the number of students generated from existing zoning to proposed is seven students.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Newell Elementary from 114% to 122%
    - Martin Luther Middle from 94% to 97%
    - Zebulon Vance High from 126% to 128%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 2-inch water distribution main located along Joe Whitner Road. 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)
- **City Arborist:** No comments submitted.
- **Erosion Control:** 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:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** See Outstanding Issues, Note 2.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)

#### OUTSTANDING ISSUES

##### Site and Building Design

1. ~~Provide minimum SF for open space.~~ ADDRESSED
2. ~~Remove any language about the future units regarding stories. Only list height allowed in feet.~~ ADDRESSED

---

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

**Planner:** William Linville (704) 336-4090