

**\*PRE-HEARING STAFF ANALYSIS\***

**Rezoning Petition No. 2007-55**

**Property Owner:** Mariam A. Ghazi

**Petitioner:** The Ghazi Company

**Location:** Approximately 1.8 acres on the west side of Providence Road between East Barden Road and Jefferson Drive

**Center, Corridor, or Wedge:** Wedge

**Request:** R-3, single family residential, to UR-2(CD), conditional urban residential

**Summary**

This petition seeks approval for up to 79,279 square feet of residential floor area based on a zoning district floor area ratio maximum of 1.0. The site plan illustrates 18 units, which would result in a density of 9.9 units per acre. A petition for 15 townhomes (8.2 dua) on this site was denied in 1997.

**Consistency and Conclusion**

This proposal is inconsistent with the *General Development Policies* (GDPs) in terms of density and design guidelines. The GDPs only support a density of eight units per acre with satisfaction of the residential design guidelines, which this petition does not currently do. Therefore, this petition is not appropriate for approval from a land use perspective. Also, several significant site plan issues are still outstanding.

**Existing Zoning and Land Use**

The property borders single family residential (zoned R-3) on the south and west. To the north is a church in R-3 zoning. Across Providence Road to the east are the Jewish Community Center and a synagogue in the residential institutional (R-I) and R-3 districts.

**Rezoning History in Area**

This site was proposed for rezoning to R-8MF(CD) for 15 townhomes in 1997. That rezoning request was denied. Just south of the site a rezoning was approved in 1997 for an assisted living facility.

**Public Plans and Policies**

The *South District Plan* (1993) shows the subject property as single family residential. The *South District Plan* references the residential location criteria of the *General Development Policies* for areas of higher density development.

The Residential Location and Design section of the *General Development Policies* (2003) (GDP) provide the criteria for determining appropriate locations for higher density development. The assessment consists of a point system used to evaluate individual sites. Included in the *GDP* criteria are *General Design Guidelines* for Multi-family and Attached Single-family Development. In order to gain the four points from the *Design Guidelines* item, all of the standards must be met. The site's score is as follows:

Assessment Criteria	Density Category – 12 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium; 3 uses in ½ mile)
Connectivity Analysis	2 (Medium Low)
Road Network Evaluation	0 (No)
<b>Design Guidelines</b>	<b>4 (assumed, but not currently met)</b>
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 12</b>	<b>Total Points: 11 (if design guidelines were met)</b>

Based on the score, the site is appropriate for development up to only 8 dwelling units per acre, and only under a design that fully complies with the Residential Design Guidelines.

### **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Access is provided by a single driveway at the traffic light on Providence Road / Shalom Drive.
- Four two-story buildings are proposed.
- Buffers of 13.5 feet with a six-foot solid masonry wall are provided on the southern, western, and a portion of the northern property lines. The remainder of the northern boundary contains a wrought iron fence with masonry pilasters. The wrought iron fence continues along the Providence Road side of the property.
- A 20-foot setback is proposed from the back of the future curb on Providence Road.
- Building facades may not contain vinyl or metal siding.
- Elevations are included as part of the site plan.
- The lack of private open space per unit indicates that these will either be rental units or condominiums. Townhomes with lots require private open space.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** As of the preparation of this report CDOT had not commented on the revised site plan. However, their earlier comments stated that neither CDOT nor NCDOT would allow a low volume driveway connection to the signalized intersection on Providence Road. (see attached memo)

**CATS.** CATS had no comments on this petition. Local and express bus service run on Providence Road.

**Connectivity.** There are no opportunities for additional connectivity from this site.

**Storm Water.** Storm Water Services has requested water quality improvements, which the petitioner has declined to include on the site plan.

**School Information.** The school system's analysis indicates that fewer school children would be generated under the proposed zoning than under the existing zoning. Therefore, this petition would have no impact on the school system.

### **Outstanding Issues**

**Land Use.** This petition is inconsistent with the *General Development Policies*, which would only support 14 dwelling units on the site if the proposal met the residential design guidelines. It does not currently meet those residential design guidelines and is not appropriate for approval in its current form.

**Site plan.** The site plan accompanying this petition contains the following deficiencies:

- There is no tree save proposal even though the majority of the existing trees are near the exterior property line where they would be most feasible to save.
- No water quality improvements are proposed. The site plan needs to incorporate the recommendations of Storm Water Services and LUESA's Water Quality Program.
- There needs to be a commitment to a Solid Waste Management Plan as recommended by LUESA. This minimizes additions to landfills and takes advantage of recycling opportunities.
- A note needs to be added that dumpsters will be fully enclosed with solid fences or walls with a gate on one side.
- The lighting note needs to include the restriction that detached lighting will be fully capped and shielded.
- The "public plaza" needs to include benches or other seating and pedestrian scale lighting.
- A minimum five-foot sidewalk is needed to connect every unit to the sidewalk along Providence Road.
- The site plan has three different hard surfaces indicated but needs to describe those surfaces. (Scored concrete/asphalt, brick pavers, etc)
- Add a note that there must be at least 20 feet from the sidewalk to the garage to prevent parked cars from blocking the sidewalk.
- Rear yards abutting single family residential need to be increased to 30 feet.
- The parking note needs to correctly reflect a maximum parking allowance of three spaces per unit.
- The plan should limit building height to two stories.
- A note needs to be added that right-of-way will be "dedicated and conveyed" to achieve 50 feet from the centerline of Providence Road if that right-of-way does not already exist.
- The future setback from Providence Road needs to be 40 feet.
- Add a note that large maturing street trees will be planted along Providence Road 40 feet on-center.