

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

### **Rezoning Petition No. 2006-045**

**Property Owner:** Greyson Ridge Development, LLC

**Petitioner:** Greyson Ridge Development, LLC

**Location:** Approximately 68.9 acres located south of the intersection of North Tryon (US 29) and Caprington Avenue

**Request:** Change from R-3, single family residential, and O-1(CD), conditional office, to CC, commercial center

### **Summary**

This petition seeks approval for a multi-use development consisting of 110,000 square feet of retail uses, up to 30,000 square feet of office space, a 90-room hotel, 141 townhomes, and 339 multi-family units. The overall residential density is about 11.3 units per acre.

### **Consistency and Conclusion**

The petition is consistent with the recommendations of the Northeast area plan. Therefore, staff is able to support the proposed uses.

Upon correction of site plan deficiencies noted below, this petition would be appropriate for approval.

### **Existing Zoning and Land Use**

The properties across US 29 from the petitioned site are undeveloped, with zoning of MX-2, R-3, and R-17MF(CD). To the east are properties with rural residential uses in R-3 zoning. To the south is a CMUD wastewater treatment plant in R-3 zoning. A generally undeveloped subdivision is to the west in R-3 zoning.

### **Rezoning History in Area**

A nearby large tract of land across US 29 was rezoned to MX-2 in 1999 for a residential project. An additional MX-2 rezoning was denied due to a lack of connectivity. In 2000, a tract north of the rezoned MX-2 site was rezoned for offices and a parking lot for the speedway. The bulk of the petitioned site was rezoned in 2003 for a parking lot for the Lowes Motor Speedway.

### **Public Plans and Policies**

*Northeast Area Plan (2000):* The *Northeast Area Plan* recommends a mixed-use of residential (12+ dwelling units per acre) and retail (retail not to exceed 100,000 square feet) at this location.

The retail use is shown as a Neighborhood Center, which allows for 30,000 square feet of office use in addition to the retail uses. The *Northeast Area Plan* provides limited design guidelines that should be supplemented by the design guidance in the *General Development Policies*.

*Northeast District Plan (1996)*: The *Northeast District Plan* recommended residential uses (up to 4 dwelling units per acre) at this location. This plan was superseded by the *Northeast Area Plan* (2000).

## **Proposed Request Details**

The site plan accompanying this petition contains these provisions:

- The existing Charlotte-Mecklenburg Utilities access road is to be relocated and has no other connections to it.
- The main entry road and the main cross street, both of which extend to the property to the east, are public streets. All other streets are private.
- The 75-foot Class “B” buffer along the boundaries of the site is proposed to be reduced to 56.25 feet through the use of a fence or berm.
- There is a 150-foot power easement running north-south through the site. It is utilized for parking, open space, and a trail.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** The last remaining transportation issue is inadequate sight distance at the two entries into the site from US29. CDOT is awaiting a meeting with NCDOT before a final resolution of this issue can be made.

**CATS.** The petitioner has provided CATS a bus shelter internal to the development, and a non-exclusive Park & Ride lot of 100 parking spaces. CATS also notes that internal bus access will require traveled streets (both public and private) to be designed to support a CATS bus. See attached memo for detailed comments.

**Connectivity.** This proposal includes two future connections across the creek to properties to the east. There is a possible future connection to the west, from the multi-family area to a platted single family subdivision.

**Storm Water.** While the site plan commits to water quality improvements the language on the site plan needs to be modified to meet specific standards established by Storm Water Services. See attached memo for detailed comments.

**School Information.** CMS estimated that the originally proposed 570 dwelling units for the site would generate 77 students (41 elementary, 18 middle, 18 high school). The number of units has now been reduced to 480 but the impacts have not yet been recalculated. No children would be generated under the existing zoning, which limits development to a parking lot. See attached original memo.

## **Outstanding Issues**

**Land Use.** The proposed uses are generally consistent with adopted plans. Therefore, staff believes this petition is appropriate for approval from a land use perspective.

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

- “Health and indoor recreation” needs to be capped at 10,000 square feet of floor area.
- The storm water management and water quality notes, including detention, need to be corrected per Storm Water Service’s memo.
- The transportation notes need to incorporate comments from CDOT.
- The notes regarding trails along the creek and in the Duke Energy right-of-way need to be revised to actually commit to those trails rather than state that they “may be constructed”.
- While CATS has been granted an internal bus shelter and parking spaces, a note still needs to be added to the site plan that provides an access easement over required private streets and commits to building the bus-traveled streets (public and private) to sufficient standards to support busses.
- A note needs to be added to the site plan that commits to a contribution to the future bridges for the public streets to cross the creek on the east side of the property.
- Note 5.d. needs to be modified to reflect compliance with water quality design standards in effect at the time of development. The design manual associated with the Post Construction ordinance may contain higher standards than the 1999 State manual.
- A buffer is required between the residential and commercial components of the site. A cross-section of this treatment should be included on the site plan.
- Label the setback along US29 as a maintained buffer where there are remaining trees and as a landscaped setback with a double row of trees where no trees exist.
- The rear of the retail buildings abutting the proposed townhomes should include parapet walls.