

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-72

Property Owner: Lawrence M. Raymer

Petitioner: PCNC

Location: Approximately 4.13 acres located on Rumble Road, northeast of the intersection of Graham Street and West Sugar Creek Road

Request: R-3, single family, up to three dwelling units per acre to R-8MF(CD), multi-family residential, up to eight dwelling units per units, conditional zoning request.

NOTE: Petitioner requests a deferral to the September 2006 public hearing.

Summary

This petition seeks to rezone 5.64 acres from R-3 to R-8MF(CD) to allow a maximum of 43 townhomes at a density of 7.62 dwelling units per acre.

Consistency and Conclusion

The petition is consistent with the Northeast District, which recommends residential development up to eight (8) dwelling units per acre. The design guidelines of the General Development Policies were used to evaluate the request. Therefore, upon resolution of the outstanding site plan issues, this petition is appropriate for approval from a land use perspective.

Existing Zoning and Land Use

The subject property is zoned R-3 and is vacant. Abutting properties to the north of Rumble Road are zoned R-3, R-4(CD) and R-17MF and developed with a church, single family dwellings, an apartment community and a few vacant lots. East of Rumble Road exists R-3 zoning occupied by single family dwellings or vacant. R-17MF zoning exists south of Rumble Road and is developed with single family dwellings and a condominium community.

Rezoning History in Area

There have been no recent rezonings in the immediate area.

Public Plans and Policies

Northeast District (1996). The Northeast District Plan recommends residential development up to eight dwelling units per acre.

Proposed Request Details

The petition proposes to rezone from R-3 to R-8MF(CD) to allow development of up to 43 townhomes at a density of 7.62 dwelling units per acre. The site plan accompanying this petition contains the following provisions:

- An 8-foot planting strip and 6-foot sidewalk will be provided along Rumble Road.
- Tree save areas along Rumble Road shall contain a minimum of six trees (25 percent evergreen) and 20 shrubs.
- Individual driveways shall have a minimum width of 10 feet and a minimum depth of 20 feet from the front property line.
- Individual units shall have two parking spaces, one in the garage and one surface parking space.
- Primary building material will be vinyl siding or equal.
- The foundations fronting streets or exposed to public streets or common areas shall be brick.
- Rear yards shall be fenced with white, vinyl fencing, either solid or picket.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 120 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 290 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following comments: **AWAITING REVISED CDOT DATA ON NEW UNIT COUNT**

- There are contradictory notes regarding the widths of sidewalks and planting strips in the sections “Landscaping, Trees, Sidewalks, and Common Areas” and “Vehicular Access and Roadways and Sidewalks”. The commitment to provide 4-foot planting strips and 4-foot sidewalks in the first section needs to be deleted.
- The common driveway must meet minimum driveway standards for offsets from right-of-ways and radii. This item will be reviewed further in the subdivision process.

CATS. There is no direct CATS service to the site.

Connectivity. Public street stubs have been provided to the east and west. Connectivity will be further addressed via the subdivision review process.

Storm Water. Notes have been added to the site plan that pertain to Storm Water Quality Control, Storm Water Quality Treatment and Volume and Peak Control.

School Information. Adequacy of existing school capacity in this area is a significant problem. Approval of this petition will increase overcrowding and/or reliance upon mobile classrooms at N. Alexander Elementary School, Martin Middle School and Vance High School. This development will add approximately six students to three schools in this area, (3 elementary, 1 middle and 2 high school). See attachment. **Based on initial request of 4.13 acres from R-3 to R-8(CD) to allow a maximum of 27 multi-family residences**

Outstanding Issues

Land Use. The petition is consistent with the Northeast District, which recommends residential development up to eight (8) dwelling units per acre.

Site plan. The following site plan issues are outstanding:

- Provide one-half of the required buffer abutting the religious institution next door if it does not exist.
- Provide five-foot minimum interior sidewalks.
- 20 foot side yard required abutting tax parcel 047-361-09.
- Indicate 15-foot internal setback along internal public streets and note a 22-foot setback for garages.
- 40-foot rear yard required abutting tax parcel 047-361-15, R-17MF zoning.
- 32-foot Class C buffer required abutting R-3 zoning.
- A 50-foot rear yard is required abutting R-3 zoning.
- Label 30-foot front setback on Rumble Road.
- All new streets must be public streets, with 50 feet of right-of-way.
- Indicate and label space for solid waste and recycling receptacles, per Section 12.403(4).
- 50 percent minimum open space required.
- Add note: Minimum of 400 square feet subplot required for private open space for each townhouse unit.