

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

**Rezoning Petition No. 2006 -76**

**Property Owner:** Christina K. Skiouris, Dean Kokenes, Alex Kokenes, Warren N. Ferguson

**Petitioner:** LandMark Llewellyn Holdings LLC

**Location:** Between I-485 and McKee Road across from Kuykendall Road

**Request:** R-3 (Single Family Residential) to MX-2 (Innovative) for the development of 78 townhomes.

**Summary**

The petitioner is seeking approval to construct up to 78 townhomes on 15.8 acres. Residential density would be 4.94 homes per acre.

**Consistency and Conclusion**

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 property lies east and outside of the boundary of the *Providence Road / I-485 Area Plan Update* (2000). The G.D.P. support a residential density of up to 6 homes per acre. Pending resolution of the outstanding site plan issues this petition is appropriate for approval.

**Existing Zoning and Land Use**

The 15.8 acre parcels border large-lot single family-residential on the northeast, and single-family residential development across McKee Road to the northwest. To the east is a Church, and beyond that a multi-family townhouse style development at 6 dwelling units per acre rezoned to R-8 MF (CD) (case 2004-110), then McKee Road Elementary School, and then a county park. To the southeast adjoining the subject is I-485.

**Rezoning History in Area**

There have been no other recent rezonings in the immediate area.

**Public Plans and Policies**

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:

<b>Assessment Criteria</b>	<b>Density Category - up to 6 dua</b>
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium; 3 uses in ½ mile)
Connectivity Analysis	1 (Low)
Road Network Evaluation	0 (No)
<b>Design Guidelines</b>	<b>4</b>
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 10</b>	<b>Total Points: 10</b>

Based on this score, the site is appropriate for development up to 6 dwelling units per acre.

### **Proposed Request Details**

The development would include 78 townhomes with an amenity area including a pool. The site plan accompanying this petition indicates the following:

- A specific street light plan is proposed including acorn fixtures and shoebox fixtures. No direct light will extend past the boundaries of the development.
- Petitioner will dedicate necessary utility easements and right-of-way along McKee Road.
- A 150 feet left turn lane will be installed on McKee Road at the entrance of the development.
- Buffers will be provided next to adjacent land uses in accordance with Ordinance requirements.
- Stub streets are provided to adjacent parcels.
- Stormwater management will be provided per Stormwater Services recommendations.
- A 6 feet sidewalk and 8 feet planting strip will be planted along McKee Road.
- 17.5% of the site will be reserved for tree save areas. Trees along McKee Road, I-485 and in the buffers will be preserved.
- Architectural renderings have been incorporated into the standards. 50% of the front elevation will consist of masonry materials.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** This site could generate approximately 450 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 550 trips per day. This will have a minor impact on the surrounding thoroughfare system.

CDOT stated that the required curb, gutter and sidewalk along the McKee Road frontage must be placed at a location to accommodate the future cross-section for a major thoroughfare. The face of the curb needs to be placed 37 feet from the existing centerline of McKee Road. With an eight-foot planting strip and a six feet sidewalk behind this curb line, the sidewalk will be located partially outside of the 50 feet right-of-way line. A sidewalk easement shall be provided to include the land between the right-of-way and one foot behind the back of the sidewalk, which provides sufficient area for sidewalk maintenance.

CDOT staff has stated that other outstanding issues are minor, and can be resolved during the planned multi-family review process.

**CATS.** CATS has no comments on this petition.

**Connectivity.** Stub streets to both adjacent properties are provided on the site plan.

**Storm Water.** Charlotte-Mecklenburg Stormwater Services has resolved all outstanding issues with the petitioners.

**School Information.** After reducing the number of units from 94 to 78, it appears the development will add approximately 15 students to three schools in this area.

The development allowed under existing zoning would generate 38 students, while the development allowed under the proposed zoning will produce only 15 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 0.

### **Outstanding Issues**

**Land Use.** 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. Based on the General Development Policies (2003) GDP score, this site is appropriate for development of up to 6 dwelling units per acre, but only under a design that fully complies with the Design Guidelines.

**Site plan.** The following site plan comments are outstanding:

- Staff requests a copy of the tree survey be provided to assist in determining which trees can be preserved on the site.
- A note on the plan states "50% of the front elevation of each dwelling unit will consist of masonry materials." Staff requests that the petitioner specify the type of masonry material to be used.
- There is no reference to the side or rear elevations on the plan. Staff requests side and rear elevations to be included in the Architectural Treatment section.
- CDOT stated that the required curb, gutter and sidewalk along the McKee Road frontage must be placed at a location to accommodate the future cross-section for a major thoroughfare. The face of the curb needs to be placed 37 feet from the existing centerline of McKee Road. With an eight-foot planting strip and a six feet sidewalk behind this curb line, the sidewalk will be located partially outside of the 50 feet right-of-way line. A sidewalk easement will need to be provided