

## \*PRE-HEARING STAFF ANALYSIS\*

### Rezoning Petition No. 2006-039

**Property Owner:** Alpine Village Properties

**Petitioner:** Alpine Village and Golf Maintenance, Harvey Gouch

**Location:** Approximately 59.22 acres South of Freedom Drive and east of Toddville Road

**Request:** R-3 (LLW-PA), R-4 (LLW-PA), and R-17MF (LLW-PA) to MX-2 (LLW-PA)

#### Summary

This petition proposes to rezone approximately 59.22 acres from R-3, R-4 and R- 17 MF to MX-2 for a mixed use development. The development will be composed of 84 single-family residential lots, 390 multi-family units, 24,000 square feet of live/ work units (24 units) and club house, 4,000 square feet for the office, club house pro shop, 1,500 square foot maintenance facility and a par 3 golf course running through the site. The property is located on the Lower Lake Wylie Protected Area.

#### Consistency and Conclusion

The request is consistent with the GDP for up to 8 dwelling units per acre. Therefore, upon resolution of the outstanding site plan issues, this petition is considered appropriate for approval.

#### Existing Zoning and Land Use

The properties surrounding the petitioned site are a mixture of R-3, R-4, R-5 and R-17 MF zoning with a cemetery being located to the east. Uses are predominately with single and multi-family residential. Burke's mobile home park is currently located on the subject property.

#### Rezoning History in Area

No rezonings have occurred in the immediate area in the last five years.

#### Public Plans and Policies

The *Northwest District Plan* (1990) provides adopted land use policy for the area that recommends single-family up to 4 DUA.

The residential portion of the *General Development Policies* (2003) applies to this site.

Assessment Criteria	Density Category - >6 up to 8 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Med)
Connectivity Analysis	2 (Med-low)
Road Network Evaluation	0 (No)
<b>Design Guidelines</b>	<b>4 (Yes)</b>
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 11</b>	<b>Total Points: 11</b>

### **Proposed Request Details**

The site plan accompanying this petition indicates The development will be composed of 84 single-family residential lots, 390 multi-family units, 24,000 square feet of live/ work units (24 units) and club house, 4,000 square feet for the office, club house pro shop, 1,500 square foot maintenance facility and a par 3 golf course running through the site.

Connections will be made to Burke Drive and Pinebrook Drive. A creek and the Mecklenburg County Greenway transverse the property with the single family component being located on the southern corner of the property and connecting to the existing Mulberry Pond subdivision. The multi-family, live/work and clubhouse are located to the west of the creek and have access to Freedom Drive. There is no vehicular connection between the single-family component and the multi-family component. The par 3 golf course runs generally along the creek.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** This site could generate approximately 3,300 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 3,500 trips per day. This will have a minor impact on the surrounding thoroughfare system.

Although we are not requesting a Traffic Impact Study (TIS) be prepared for this site, the NCDOT may require a TIS as part of their driveway permit approval process. They may have additional or different requirements than what is identified in this rezoning process. The developer/petitioner is recommended to meet with NCDOT early in the development process to identify any issues that they may have. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The access to Freedom Drive will be restricted to right-in/right-out only movements after the Freedom Drive (NC 27) Widening (Phase 2) median construction is complete. Planning and design is completed and right-of-way currently is being acquired. Construction is planned to begin in early 2007. The conditional plan should indicate that the driveway to Freedom Drive will be restricted to right-in/right-out only movements and the location of the curb will be determined by this project. Please contact the City's project manager, Sam Barber, at 704.336.4721 for additional information.
- North Carolina Department of Transportation (NCDOT) may require a right-turn lane on Freedom Drive, since it is a NCDOT-maintained roadway.
- Additional information is needed to show how traffic and pedestrians would circulate around the square at the Village Greene. It is not recommended to have a small park surrounded by traffic on each of its four sides, due to potential conflicts with pedestrians. A roundabout without a park in the center may be a better design application for this location and should be considered in lieu of the square.
- This development should commit to building Charlotte's current local street typical cross-section on the platted right-of-way of Lewhaven Drive, Pinebrook Drive, and Burke Drive, extending from the existing end of pavement to the new network of streets. These new
- roadways should include curb, gutter, and sidewalk with planting strip. The new streets should follow the original alignment to avoid building roads that do not conform to current design standards and to eliminate the need to abandon any right-of-way. Lewhaven and Pinebrook Drives should intersect and end at the proposed spine road at right angles. The proposed spine road should tee into and end at Burke Drive. Burke Drive should extend across the greenway and connect to the proposed single-family subdivision. This alignment would not impact the golf course and provide a vehicle/pedestrian connection between the developments without the need to access Freedom Drive.

**CATS.** CATS acknowledges receipt of the revised site plan and the petitioner's willingness to construct sidewalks along Freedom Dr. CATS has no further comments at this time.

**Connectivity.** A stub street is provided for a future connection to Lewhaven Drive

**Storm Water.** The petitioner has made revisions based on Storm Water Services original comments. No additional requirements are needed at this time.

**Parks and Recreation.** Concerning the above referenced revised rezoning petition and site plan submittal for the proposed Freedom Greene development on Freedom Drive, please reference the following comments from the Mecklenburg County Park and Recreation Department (MCPR). I suggest that these comments be incorporated into the Charlotte-Mecklenburg Planning Commission's (CMPC) staff review notes and written into the analysis to the fullest extent possible. These steps should ensure MCPR's notes are conveyed to and incorporated by the developer during plan revision.

The petitioner's property lies within the Northwest Park District. Paw Creek runs through the site for approximately 2,860 feet (0.55 miles) as indicated on the plan. The Mecklenburg County Greenway Master Plan adopted in 1999 identifies the need for a 7.6 mile greenway along Paw Creek. MCPR is requesting that the developer build this stretch of greenway including neighborhood connections, and dedicate the area in fee simple to the County as a public greenway. In order to meet MCPR design guideline requirements, the petitioner's trail design and construction shall conform to the following standard details:

- 13' wide ABC stone base at 6-8" thick (may vary depending on soil type)
- 13' geotechnical fiber on top of the stone base (may vary depending on soil type)
- 10' wide asphalt trail at 2.5" thick
- 2' shoulders (non-paved) on both sides
- Grades to meet new ADA standards of 8% or less
- Curb cuts with dome mats to meet ADA standards
- Trail clearances and curve radii to meet AASHTO bicycle standards

The revised site plan does not meet greenway needs as they were identified in original correspondence by MCPR. The revised plan allows a 20' wide greenway easement that is not sufficient. MCPR requests that the greenway corridor include the entire 45' wide managed use zone and that the petitioner build the greenway section as part of their development. The greenway corridor would be dedicated to the County in fee simple rather than offered as an easement.

The petitioner's revised site plan shall indicate clearly the area to be dedicated to the County, since there are potential conflicts with the par 3 golf course amenity. MCPR will not be responsible for maintenance of the golf course or the internal trail systems shown as part of the course. Golf course hole locations shall be moved from where they conflict with the greenway. It is important that users be able to safely travel along the future greenway.

**School Information.** The school system reports that 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 the schools.

The development allowed under existing zoning would generate 158 students, while the development allowed under the proposed zoning will produce 151 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 0.

### **Outstanding Issues**

**Land Use.** The request is not consistent with the *Northwest District Plan*, which recommends single-family land uses up to 4 DUA. The assessment criterion of the GDP scores a density category of up to 8 DUA. This site is appropriate for an increase in residential density.

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

- The Development standards list the number of single-family lots as 86 and the site plan shows 84. The number of townhomes in the development standards is 388 but is shows as 390 on the site plan. Please clarify which is correct. The total number of units allowed is 473 not 474.
- Provide pedestrian scale lighting along sidewalks and pathways.
- At the central open space consider moving the village green so that it joins the multi-family building on the northside and/or the west side.
- **5A Architectural controls.** Residential structures (SF and MF) should have architectural details on all sides facing public view. These details include (but are not limited to) windows, porches, texture (material changes), massing and other details that add character and visual interest.
- Innovative standard should be listed.
- Clearly label access to the golf course from the single-family homes.
- Connect, via a public street, the portions of the development on both sides of the creek.
- The proposed 5-foot setback for the multi-family units is not sufficient and should be increased to 14-feet from the back of curb.
- A class “C” buffer is required between the existing homes on Lewhaven Drive and the proposed development.