

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

### **Rezoning Petition No. 2006-69**

**Property Owner:** Alice Charles, Melanie & J. Richard Rountree, Janet Boone, and J. Anthony & Suzanne Bond

**Petitioner:** Fairhills Development Group, LLC.

**Location:** Approximately 5.2 acres on the west side of Park South Drive, south of Woodbine Lane

**Request:** Change from R-3 (single family residential at three homes per acre) to UR-1(CD) (conditional urban residential)

### **Summary**

This petition seeks approval for up to 20 single family detached homes on 5.2 acres, resulting in an overall density of 3.9 homes per acre.

### **Consistency and Conclusion**

The proposed density would be acceptable in this location if the proposal met the residential design guidelines of the General Development Policies. Since it does not meet those guidelines (see Outstanding Issues – Site Plan) it is not considered to be consistent with adopted plans and policies.

Upon correction of the site plan deficiencies the petition would meet the residential design guidelines and would then be appropriate for approval.

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

The property borders single family residential on the south and west. Across Woodbine Lane to the north is an internally focused townhome development on land zoned R-8MF(CD). To the east across Park South Drive are an office building, a single-family street, and two attached residential developments developed on land zoned R-8MF(CD) and UR-2(CD).

### **Rezoning History in Area**

There have been several rezonings along Park South Drive in recent years, both for increased residential density and office/institutional uses.

### **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.

## **Proposed Request Details**

This petition seeks approval for up to 20 single family detached homes on 5.2 acres, resulting in an overall density of 3.9 homes per acre. The site plan accompanying this petition contains these additional provisions:

- Six of the 20 lots have access from Woodbine Lane. The remainder are accessed internally from two new cul-de-sac public streets.
- Eight-foot planting strips and six-foot sidewalks are proposed along Park South Drive and Woodbine Lane. Sidewalks are shown at the back of curb on the new public streets.
- Vinyl siding is prohibited on all homes.
- The developers will use “diligent efforts” to preserve the existing holly trees along the south property line.
- An additional five feet of right-of-way is being dedicated along Park South Drive.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** Trip generation is estimated to increase from 150 to 190 per day. CDOT had minor comments on this petition. See attached memo for details.

**CATS.** CATS had not submitted comments as of the preparation of this report.

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

**Storm Water.** Storm Water Services has requested an analysis of downstream conditions to see if detention will be needed. It is also requesting water quality BMPs per the draft Post Construction Ordinance. See attached memo for detailed requests.

**School Information.** CMS projects that students generated from this site would increase from seven under the existing zoning to nine under the proposed zoning – an increase of two students.

## **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. It would meet the GDP residential location criteria for density increased to 4 dwelling units per acre, if it fully met all of the residential Design Guidelines. However, the lack of tree save area and lack of water quality Best Management Practices prevents it from satisfying the design guidelines for “respecting the natural environment.”

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

- There is no tree save area proposed in this petition. A note refers to meandering sidewalks around identified trees but no trees are subsequently identified. The Tree Ordinance requires a minimum 10% tree save area for single family residential developments. At this level of impervious surface Staff is requesting 17.5% tree save per the draft Post Construction Ordinance.
- This petition needs to include the detention and water quality BMPs per Storm Water Services recommendations.
- Note IV.D and the “Key to Adjacent Property Owners” conflict as to the parcel to be screened with holly trees.
- The size of the proposed lots does not allow the matching of rear yards from abutting properties. Therefore, some level of screening is needed along the perimeter of the site that does not abut existing public streets. The note regarding a potential wall does not commit to building a wall.
- Garage setbacks should be shown on the site plan located at least 20 feet behind the back of the proposed sidewalks.
- Add the following note to the rezoning site plan and/or related rezoning documents:  
*“The petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.), will apply to the development site. This includes chapters 6, 9, 12, 17, 18, 19, 20, and 21 of the city code. Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply.”*
- The dedication of right-of-way along Park South Drive will result in a portion of the sidewalk being outside the public right-of-way. A note needs to be added that a public access easement will be recorded for that portion of the sidewalk that may end up outside the right-of-way.
- The new public streets need a six-foot sidewalk behind an eight-foot planting strip.
- Adequate screening is needed for the homes that back up to Park South Drive unless those homes address that street with front doors, sidewalks, etc.