

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-104

Property Owner: John E. McCabe, Jr.

Petitioner: Don Henderson

Location: Approximately 7.3 acres located on the north side of McLean Road, west of Middle Acres Road

Request: R-3, single family residential, up to three dwelling units per acre to R-4(CD), single family residential, up to four dwelling units per acre, conditional district request

Summary

This petition seeks to rezone approximately 7.3 acres to R-4(CD) to allow development of 26 single family lots, at an overall density of 3.56 dwelling units per acre.

Consistency and Conclusion

The proposed petition is consistent with *The Rocky River Area Plan*, which recommends residential dwellings up to six dwelling units per acre. This request proposes 26 single-family detached dwelling units, at an overall density of 3.56 dwelling units per acre. Approximately 2.08 acres will be designated as common open space and 1.31 acres will be dedicated as tree save areas. The petitioned site lies within the 100-year floodplain and will accommodate a proposed greenway along Back Creek, which runs across the southeastern portion of the site. Therefore, upon clarification of outstanding site plan issues, this petition is considered appropriate from a land use perspective.

Existing Zoning and Land Use

The subject property is zoned R-3 and is vacant. Properties north of McLean Road are zoned R-3, R-8 and R-12(CD) and developed primarily with single family residential dwellings. South of McLean Road exists single family and multi-family residential dwellings in R-12MF(CD) and R-17MF(CD) zoning districts.

Rezoning History in Area

Petition 99-16(C) rezoned approximately 18.6 acres located on the east side of East W. T. Harris Boulevard south of McLean Road and east of Old Concord Road from R-3 to R-12MF(CD) and O-1(CD).

Public Plans and Policies

Rocky River Small Area Plan (2006). The *Rocky River Area Plan* recommends residential dwellings up to six dwelling units per acre.

General Development Policies (2003). The General Design Guidelines for the Residential Development section of the *General Development Policies* provide design guidelines for single-family detached development for which this petition would apply.

The Northeast District Plan (1996). The Northeast District Plan recommends a mixture of uses for the subject parcel, including mixed housing up to eight dwelling units per acre and park and greenway land uses.

Proposed Request Details

The petition proposes to allow 26 lots for single family detached residential dwellings. The site plan accompanying the petition contains the following details:

- 28.5 percent common open space will be provided
- 18 percent tree save area will be provided.
- Pedestrian scale lighting will be installed along public streets
- Access to the site will be provided from one entrance on McLean Road
- A public street stub will be provided to the abutting property located west of the site.
- The site plan includes area that has been dedicated to Mecklenburg County Park and Recreation Department for the Back Creek Greenway.
- Pedestrian and bicycle access to the greenway will be provided

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 200 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 270 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to CDOT's support of the rezoning petition:

- Please note that sidewalk will be required by the Subdivision Ordinance to be constructed to the site's property lines and will likely involve extending the culvert to construct the sidewalk to the southern property line.
- The 60-foot "assumed" right-of-way along McLean Road needs to be verified.

CATS. There is currently no direct transit service provided to this site.

Connectivity. The site plan proposes a public street stub to the abutting R-3 zoned property located west of the site. Connectivity will be addressed as a part of the subdivision review process.

Storm Water. Storm Water Services notes that no significant downstream impacts are foreseen due to this rezoning request.

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 University Meadows Elementary School, Martin Middle School and Vance High School. This development will add approximately 17 students to the three schools in this area (8 elementary, 4 middle school, 5 high school). See attachment.

Outstanding Issues

Land Use. The proposed petition is consistent with *The Rocky River Area Plan*, which recommends residential dwellings up to six dwelling units per acre. This request proposes 26 single-family detached dwelling units, at an overall density of 3.56 dwelling units per acre. Approximately 2.08 acres will be designated as common open space and 1.31 acres will be dedicated as tree save areas. The petitioned site lies within the 100-year floodplain and will accommodate a proposed greenway along Back Creek, which runs across the southeastern portion of the site. Therefore, upon clarification of outstanding site plan issues, this petition is considered appropriate from a land use perspective.

Site plan. The following site plan issues are outstanding:

- Illustrate the pedestrian and bicycle access from the eastern cul-de-sac to the greenway area and label the minimum dimension of 40-feet, as requested per the recommendation from Mecklenburg County Parks and Recreations.
- Provide a shared driveway off McLean Road for Lots 25 and 26.
- Provide a six-foot sidewalk and 8-foot planting strip along McLean Road.