

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006 - 128

Property Owner: Edward and Christine Keller

Petitioner: Blue Sky Partners, LLC

Location: Approximately 0.8 acres located on Ideal Way between Euclid Avenue and Marshall Place.

Request: R-5, single-family to MUDD(CD), mixed use development district conditional.

Summary

This request proposes to rezone 0.8 acres to MUDD(CD) to allow twenty-four for-sale town homes at an overall density of thirty dwelling units per acre.

Consistency and Conclusion

This request is inconsistent with the recently adopted Dilworth Land Use and Streetscape Plan, which recommends single-family development with up to four dwelling units per acre at this location. All outstanding site plan issues should be addressed before considering this request.

Existing Zoning and Land Use

The surrounding properties are zoned R-5, B-2, and TOD-M and are occupied by single-family residences, and business uses.

Rezoning History in Area

A site to the northwest, across Euclid Avenue was rezoned to TOD-M under petition 2005-19.

Public Plans and Policies

The Dilworth Land Use and Streetscape Plan (adopted 2006). This plan is a comprehensive strategy for achieving the community's vision, and provides guidance for land use, transportation, urban design, parks and greenways, and the environment. This plan recommends single-family development at this location with up to four dwelling units per acre.

Proposed Request Details

This request proposes to rezone 0.8 acres to MUDD(CD) to allow twenty-four for-sale town homes with an overall density of thirty dwelling units per acre. The site plan also includes the following:

- The maximum height will be limited to forty feet.
- Building material will consist of wood, fiber cement panel/board, brick, stone, stucco, or any combination. Vinyl siding will be prohibited.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT notes that this site could generate approximately 50 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 130 trips per day. This will have a minor impact on the surrounding thoroughfare system. Additional CDOT comments are attached.

CATS. CATS comments have been addressed.

Connectivity. Connectivity is not an issue.

Storm Water. Storm Water services notes that downstream complaints consist of erosion and pollution. All requested storm water notes have been added to the site plan.

School Information. The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce three students (two elementary, one middle school). Therefore, the net change in the number of students generated from the existing zoning to the proposed zoning is two. Approval of this petition will increase overcrowding and/or reliance upon mobile classrooms at Eastover Elementary School, Alexander Graham Middle School, and Myers Park High School. See attachment.

Outstanding Issues

Land Use. This request is inconsistent with the Dilworth Land Use and Streetscape Plan, which recommends single-family development with up to four dwelling units per acre at this location.

Site plan. The following site plan issues are still outstanding:

- The petitioner should note that the proposed request is to MUDD(CD) on the site plan and remove the option for the balcony encroachment along South Boulevard.
- The setback along Euclid Avenue and Marshall Place should scale fourteen feet from the future back of curb. Steps are not allowed within this setback.
- The petitioner should exclude sheet RZ-4 it does not reflect the maximum height as measured from the average grade.
- The TOD zoning height restriction lines shown on the street sections on sheet RZ-5 should be removed.

- A note should be added to the site plan indicating all lighting will be fully shielded.
- The petitioner should indicate on the plan that all setbacks are from the future back of curb.
- All outstanding CDOT comments should be addressed.
- The site plan indicates that two car garage parking will be provided for the units except the end units. How will parking for the end units be accommodated?