

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-137

Property Owner: William and Martha Brown, Herman and Theresa Mullis

Petitioner: Gulf South Development

Location: 27.3 acres located on the north side of Hucks Road and northwest of the intersection of Hucks Road and Browne Road.

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

Summary

This petition proposes to rezone approximately 27.3 acres from R-3 to R-4(CD) Cluster to allow up to 110 single family residential dwellings, at a density of 3.99 dwelling units per acre.

Consistency and Conclusion

The petition is consistent with the *Northeast District Plan*, which recommends mixed housing up to eight dwelling units per acre on the subject parcels. In addition, the site adheres to the design guidelines of the General Development Policies through the provision of 2.7 acres (10.25 percent) of tree save area and 2.8 acres of common open space, pedestrian trails and improved common open space areas. A 6-foot sidewalk and 8-foot planting strip will be provided along the project's frontage on Browne Road and Hucks Road and sidewalks will be installed along all internal streets. Therefore, upon correction of the outstanding site plan issues, this petition is considered appropriate for approval.

Existing Zoning and Land Use

The subject parcels are zoned R-3 and contain a mixture of vacant and single family residential uses. To the east, north, and south, a mixture of low-density single family residential uses and vacant properties exist, in R-3, R-4 and R-6(CD) zoning districts. A religious institution lies immediately adjacent to the west.

Rezoning History in Area

Petition 97-06(c) rezoned approximately 80 acres abutting the subject property to the west from R-3 to INST(CD) to allow development of a 4,500 seat religious institution, with related recreational facilities. Petition 95-44(c) rezoned 40.3 acres located at the southeast corner of Dearmon road and Browne Road from R-15MF(CD), O-15(CD) and B-1 S.C.D. to R-6(CD) and B-1(CD) to allow for up to 187 single family dwellings and up to 12,000 square feet of retail uses, excluding fast food restaurants.

Public Plans and Policies

Northeast District Plan (1999). The *Northeast District Plan* recommends mixed housing up to eight dwelling units per acre on the subject parcels.

Proposed Request Details

The petition proposes to rezone to R-4(CD) Cluster to allow development of up to 110 single family detached residential dwellings. The site plan accompanying this petition contains the following provisions:

- Per the cluster provisions, the site proposes the following development standards:
 - Minimum lot area of 6,000 square feet
 - 50-foot minimum lot width
 - 20-foot front setback
 - 5-foot side yard
 - 30-foot rear yard on internal lots; 40-foot rear yard on external lots
- Approximately 2.85 acres of common open space will be provided.
- Approximately 2.69 acres (10.25 percent) of tree save area will be provided.
- An 8-foot planting strip and 6-foot sidewalk will be provided along Browne Road and Hucks Road.
- Minimum 4-foot sidewalks will be provided along both sides of internal streets.
- Any required right-of-way along Browne Road and Hucks Road will be dedicated and conveyed prior to subdivision approval.
- Left-turn lanes into the development will be constructed on Browne Road and Hucks Road.
- The 100-foot SWIM buffer located along the southern portion of the property will be dedicated to Mecklenburg County Park and Recreation.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 800 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 1,050 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments:

- Notes regarding sidewalk and planting strip widths in note #5 under “Access Points/Streets/Sidewalks” need to match with callout notes on the site plan showing 8-foot planting strips and 6-foot sidewalks.
- A street stub must be provided to the east, generally in the area of lots 25-26, to serve a landlocked property.

CATS. CATS acknowledges the petitioner’s willingness to provide an easement for a pad on both Browne Road and Hucks Road for the construction of a bus-stop/waiting pad in the future.

Connectivity. The site plan proposes to install the future alignment for the Hucks Road Thoroughfare Realignment along the project's frontage. In addition, the site plan reflects a number of street stubs to properties located east and west of the site. Connectivity will further be addressed through the subdivision review process.

Storm Water. The site plan includes a note pertaining to Storm Water Quantity Control. The petitioner shall include notes concerning Storm Water Quality Treatment and Volume and Peak Control.

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 David Cox Elementary School, Alexander Middle School and North Mecklenburg High School. This development will add approximately 55 students to three schools in this area (30 elementary, 11 middle and 14 high school). See attachment.

Outstanding Issues

Land Use. The petition is consistent with the *Northeast District Plan*, which recommends mixed housing up to eight dwelling units per acre on the subject parcels. In addition, the site plan adheres to the design guidelines of the General Development Policies through the provision of 2.7 acres (10.25 percent) of tree save area and 2.8 acres of common open space, pedestrian trails and the placement of a gazebo and playground in improved open space areas.

Site plan. The following site plan comments are outstanding:

- Site Development Data: Specify minimum 5-foot side yard.
- Access Points/Streets/Sidewalks: Amend Note # 7 to reflect a 6-foot sidewalk along the project's frontage on Browne Road and Hucks Road.
- Access Points/Streets/Sidewalks: Amend Note #8 to specify the respective amounts of right-of-way to be dedicated and conveyed on Browne Road and Hucks Road.
- Access Points/Streets/Sidewalks: Amend Note #8 to state that right-of-way will be required prior to subdivision approval.
- Add Storm Water notes that address Storm Water Quality Treatment and Volume and Peak Control.
- Access Points/Streets/Sidewalks: Amend Note #5 regarding sidewalk and planting strip widths to match callout notes on the site plan that show 8-foot planting strips and 6-foot sidewalks.
- A street stub must be provided to the east, generally in the area of lots 25-26, to serve a landlocked property.
- Add note specifying that the 100-foot S.W.I.M. Buffer will be dedicated to the Mecklenburg County Park and Recreation Department as part of the subdivision review process.
- Add note that a 30-foot reverse frontage treatment will be provided along Lots 19-22 and 88-91, per Section 12.308.
- A 20-foot rear yard must be provided from the 30-foot reverse frontage treatment, per Section 12.308(1)(g).
- Provide additional open space areas that will be planted with new trees, in order to obtain 17.5 percent tree save area on the site.