

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-149

Property Owner: McCondichie Properties II, LP

Petitioner: Songbird Development, LLC

Location: Approximately 16 acres located on the east side of S. Tryon Street at the intersection of S. Tryon and Beam Road.

Request: R-3, single family residential to MX-1, mixed use development

Summary

Songbird Development II, LP proposes to rezone approximately 16 acres for the development of a mixed-use residential development. The project will include, single family, duplexes, triplexes, and quadraplexes. The historic home place on the site will be preserved as an accessory use. The proposed overall density is 5.8 dwelling units per acre.

Consistency and Conclusion

The proposed request is consistent with the General Development Policies for densities up to 6 dwelling units per acre. Upon resolution of the outstanding site plan issues, this petition is appropriate for approval.

Existing Zoning and Land Use

The majority of the properties surrounding the site are zoned single family residential. Across Tryon Street and along both sides of Beam Road, multi-family and commercial development has occurred.

Rezoning History in Area

The most recent rezoning in the area was for the property located between S. Tryon Street and Beam Road. The property, consisting of 16.5 acres, was rezoned in 2001 from R-3 to NS for the development of 280 multi-family units and 30,000 square feet of office and 70,000 square feet of retail.

Public Plans and Policies

The conceptual site plan accompanying the petition indicates a maximum 92 single family and multi-family residential units proposed on 15.8 acres, for a density of 5.82 dwelling units per acre. Based upon the assessment provided in the GDP's the site in question does not qualify for the proposed project density.

Assessment Criteria	Density Category - >4 up to 6 swelling units per acre
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Med)
Connectivity Analysis	1 (Low)
Road Network Evaluation	No
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 10	Total Points: 10

The Southwest District Land Use Plan (1992). This plan recommends single-family residential (up to 3 dwelling units per acre) on this property. The proposed zoning district is intended to accommodate planned communities that incorporate a range of housing types, as well as provide flexibility and encourage high quality design.

Proposed Request Details

The site plan associated with this petition show 92 residential units on public and private streets with alleys. Some of the units are on individual lots and it appears that some are not. The existing home place will be used as an amenity area and will include a swimming pool. Another common open space is located in the northeast corner of the property with what appears to be a gazebo.

Public Infrastructure

Traffic Impact / CDOT Comments. We previously commented on this petition in our September 28, 2006 memorandum to you. This site could generate approximately 460 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 880 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The label for the left turn lane on South Tryon Street should indicate that there are two left turn lanes on South Tryon Street turning onto Beam Road, not just one.
- Alleyway 2 cannot have a connection to the public street entrance within 150 feet of the South Tryon Street right-of-way. This driveway to the alleyway needs to be moved 150 feet from the South Tryon Street right-of-way and a least 20 feet of separation from the first proposed public street that tees into the proposed public street opposite of Beam Road. *(Second Request)*
- The existing concrete medians, vehicle lanes, and pavement markings on South Tryon Street and Beam Road need to be shown and labeled on the site plan. Oak Hill Village Lane also needs to be shown and labeled on the proposed conditional plan. *(Second Request)*

- Sidewalk needs to be shown crossing the top of Type II-Modified driveways, and a sidewalk network including a 6-foot sidewalk and 8-foot planting strip along South Tryon Street and 5-foot sidewalks and 8-foot planting strips on internal public/private streets needs to be shown on the site plan with accessible ramps. (*Second Request*)
- Adequate sight triangles must be reserved at the existing/proposed street intersection(s). Two 35' x 35' and two 10' x 70' sight triangles, on NCDOT maintained roadways, are required. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s). Such items should be identified on the site plan. (*Second Request*)

CATS. CATS acknowledges receipt of the revised site plan and the petitioner's willingness to provide an easement adjacent to Tryon St. for the construction of a bus-stop/waiting pad in the future. CATS has no further comments at this time.

Connectivity. The site plan shows connections to Culloden More Court and three connections to S. Tryon Street.

Storm Water. Storm Water Services requests the petitioner remove note 20 – Storm Water Management - on the petition site plan in its entirety and replace with the Storm Water Quantity, Control Storm Water Quality Treatment and Volume and Peak Control notes on the attached memo.

School Information. Steele Creek Elementary School, Kennedy Middle School, and Olympic High School are all over capacity. The development allowed under existing zoning would generate approximately 25 students, while the development allowed under the proposed zoning will yield 34 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 9.

Outstanding Issues

Land Use. The request is inconsistent with the *General Development Polices* and the *Southwest District Plan*. It should be noted that the majority of the general area surrounding the parcel consists of low-density residential homes, with some multi-family and commercial development on the west side of S. Tryon Street. A density of up to 4 units per acre can be supported.

Site plan. The following site plan issues are outstanding:

- The area near the gazebo should be redesign to avoid fronts of units facing rear of units.
- Lot #14 does not appear to meet the side yard setbacks.
- Provide 17.5% of the site as tree save area.
- Provide a cross section of proposed alley. What will the rear yard setbacks be from the alley? Will the alley be in the common open space?
- The street off set at lot 27 is a minimum of 125-feet
- Provide 8' planting strip with street trees and 4' sidewalk along Culloden More Ct.

- Provide typical elevations of all housing types.
- Need to provide a landscape or decorative wall buffer between COS/Amenity area and attached units 1-14 that are along the street that connects across from Beam Rd. The purpose is to screen the rear/ service/parking areas from view of amenity area. This can be accomplished by planting a designed landscape that incorporates mid-story shrubs and upper story canopy trees. Please provide a detailed cross-section of this screen buffer.
- Units 36 -52 need to provide stoops or porches that address the public street and move garages to the rear, next to property line, with alley access.
- Units 53-58 need to be addressed differently.
- All internal sidewalks should be 6-feet wide with 8-foot planting strips.
- Provide other areas of common open space that are enhanced with amenities for the residents, such as benches, fountains, lighting, playgrounds, etc.
- The wooden fence proposed between the existing homes on Gretna Green Drive and the new development should be changed to a vinyl fence with brick columns.
- Along Highway 49 there exists a historical monument that should be preserved. Please located the monument on the site plan and add a note requiring its preservation.
- The minimum required length of the proposed driveways along the public street is 20-feet from the back of the sidewalk.