

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

### **Rezoning Petition No. 2006-153**

**Property Owner:** G. Frank and Barbara L. Williams

**Petitioner:** New South Properties of the Carolinas, LLC

**Location:** Approximately 1.3 acres on the southeast corner of Park Road and Yale Place

**Request:** Change from R-4 (single family residential) to UR-1(CD) (conditional urban residential)

### **Summary**

This petition seeks approval for seven single family detached homes on 1.26 acres, with a resulting density of 5.5 homes per acre.

### **Consistency and Conclusion**

Staff has determined that this petition is compatible with the Park Road Corridor Plan and is consistent with the density guidelines in the General Development Policies. Therefore, this petition is appropriate for approval from a land use perspective. Upon correction of site plan deficiencies noted below this petition would be appropriate for approval.

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

Properties to the north and east are single family residences with R-4 zoning. To the south is a multi-family development. Across Park Road to the west is a multi-family development, a church and a school.

### **Rezoning History in Area**

One block north of this site, a rezoning was approved in 2001 that permitted single family development at a density of 6.8 homes per acre. In 2005, a rezoning was approved across Park Road and to the south for a multi-family development.

### **Public Plans and Policies**

The *Park Road Corridor Plan* (1992) was developed by the Freedom Park Neighborhood Association to address land use issues impacting the vitality and livability of the neighborhood. The plan makes recommendation on land use, streetscape treatment, and urban design. The plan recommends single family residential (up to 6 dwelling units per acre) on this site.

The *General Development Policies* (2003) provide design guidelines for residential development intended to promote new development and redevelopment that enhances the overall community by creating more pedestrian environments and allowing for good circulation systems, while respecting the natural environment. The *GDP* are not applicable for determining density (but are for design criteria) because the density is set by the *Park Road Corridor Plan*. In the event this petition is approved, the project is expected to reflect the applicable guidelines.

### **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The seven proposed homes are accessed from Yale Place with a private loop road on the interior of the site. Garages are provided for all homes.
- The required public sidewalk meanders to the curb along a portion Park Road to avoid an existing tree and steep slopes.
- The site will have a 10% tree save and will achieve a tree canopy of 17.5 % with new planted trees.
- Right-of-way will be dedicated along Park Road 40 feet from the existing centerline.
- Vinyl is not an allowed exterior material.
- Water quality improvements will be provided only for the street and internal sidewalk.
- A privacy fence may be installed.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT had not commented on this petition as of the preparation of this report.

**CATS.** CATS had no comments on this petition.

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

**Storm Water.** The petitioner has agreed to do some water quality improvements but is not adhering to the request of Storm Water Services.

**School Information.** There is no net increase in the number of students as a result of this rezoning. Only one student is generated under both existing and proposed districts.

### **Outstanding Issues**

**Land Use.** The *Park Road Corridor Plan*, adopted by reference in the *Central District Plan* in 1993, recommends up to four units per acre and a maximum of six units per acre for single family designated areas. "For interior single family properties (those not having frontage on along Park Road), densities should not exceed 4 du/a." Since this property does have frontage on Park Road, and properties have not been deliberately assembled to utilize this frontage, staff

believes this proposal for 5.5 homes per acre is consistent with the *Park Road Corridor Plan*. Therefore, this petition is considered appropriate for approval from a land use perspective.

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

- The correct water quality language needs to be added per Storm Water Services comments.
- The walkways connecting from the two homes on Park Road nearest Yale Place to the public sidewalk on Park Road need to be shown.
- The note allowing meandering of the sidewalk on Yale Place needs to be deleted since there are no significant trees to meander around. Meandering will not be supported to “preserve any existing vegetation.” If there are trees 8” in diameter or larger that are not shown on the site plan the note may be modified to preserve those trees. The meander must be to the interior of the site, not to the curblin.
- The tree save note needs to be modified to provide a 17.5% save area of **existing** trees.
- The reduction of sideyards may not be available for the UR-1 district as suggested in the development data table.