

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-050

Property Owner:	West Bloomfield Commons LLC
Petitioner:	Provident Development Group, Inc.
Location:	Approximately 52.65 acres located on the south side of Old Dowd Road and on the east side of Amos Smith Road
Center, Corridor or Wedge:	Corridor
Request:	R-MH (LLWCA), residential manufactured home to MX-2 (LLWCA) mixed use district all within the Lower Lake Wylie Critical Area

Summary

This petition proposes to rezone 52.65 acres to allow the existing mobile home lots to be reconfigured for a single-family subdivision while using the existing private streets and utilities as much as feasible. This site will become a component of the Vineyards at Lake Wylie.

Consistency and Conclusion

This request is inconsistent with the Dixie Berryhill Strategic Plan. However, due the fact the property will be incorporated into the Vineyards at Lake Wylie and is currently developed and zoned for residential uses, staff is recommending approval of the petition upon resolution of the outstanding site plan issues.

Existing Zoning and Land Use

The properties to the north of the site are zoned R-MH and are vacant or residential in nature. To the south is the Vineyard mixed-use development which is zoned MX-2. To the east the property is zoned NS and is also part of the Vineyard development.

Rezoning History in Area

The most recent rezoning in the immediate area was 2005-14 for the Vineyards. Approximately 598.37 acres were rezoned from R-5, R-MH, Inst (CD) and I-2 to MX-2 (Innovative) and NS for the development of up to 1,030 residential units at a density 1.7 dwelling units per acre. The existing building on the site may be used as office space (up to 70,000 square feet) or as a school. A NS component of approximately 9.5 acres will allow the development of up to 30,000 square feet of non-residential uses.

Provident Development Group, Inc has also filed rezoning petition 2007-048 requesting rezoning for 2.14 acres to MX-2 in order to be developed as a part of the Vineyard at Lake Wylie town home development. The site will also become a component of the Vineyards at Lake Wylie.

Public Plans and Policies

The *Dixie Berryhill Strategic Plan* (2003) shows the subject property as employment/mixed use (office, retail, and light industrial). Although the property is currently a manufactured home park, residential was not included in the listing of appropriate uses. While some properties in the *Dixie Berryhill Plan* were excluded from residential uses based upon airport noise contours, the subject property is not so impacted. Rather, the land use recommendation was based on proximity to the railroad, and of other industrial properties further east on Old Dowd Road.

The 598-acre property just south, across the railroad track, was rezoned in 2005 for a mixed-use residential development at 1.7 dwellings per acre. This application is by the same owner/developer of the parcel to the south. Other uses surrounding the subject property include individual lots zoned R-MH, many with mobile homes or permanent houses located thereon.

Proposed Request Details

The site plan accompanying this petition limits the number of lots to 240 and provides architectural restrictions such as a 6/12 roof pitch. This petition proposes innovative standards in relationship to the street type and constructions standards, front, side and rear yards and sidewalk type. The redevelopment of the site includes use of the existing private streets and utilities as much as feasible.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT previously commented on this petition in our March 2, 2007 memorandum to you. This site could generate approximately 2,100 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 2,200 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:

- CDOT has re-evaluated their requirement for a left-turn lane on Amos Smith Road at the Notebook Trail entrance to the development. Although CDOT will no longer require a left-turn lane at this location, they have been informed that the NCDOT will require one.
- At a minimum, a proposed public street(s) needs to be shown extending from Amos Smith Road to Old Dowd Road across from McGarry Trail. Although a street stub to connect with Old Dowd Road opposite Sam Wilson Road is needed, it is our understanding that existing topographic conditions make a future connection impractical. All public and private streets need to be built to the City of Charlotte and North Carolina Department of Transportation (NCDOT) standards. (*Previous Review Comment-2*)

CATS. CATS has no comments on this petition.

Storm Water. Storm Water Services is requesting their normal provisions to address storm water quality and peak/volume controls. (See attached memo.)

School Information. The development allowed under existing zoning would generate 180 students, while the development allowed under the proposed zoning will produce 137 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 43. 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 the schools as shown on the attached memo. CMS recommends the petitioner schedule a meeting with staff to discuss any opportunities that the petitioner/developer may propose to improve the adequacy of school capacity in the immediate area of the proposed development.

Outstanding Issues

Land Use. The request is for rezoning of 52.65 acres from R-MH manufactured housing district to MX-2 (Innovative) mixed-use residential, LWCA (Lake Wylie Critical Area overlay). The plan calls for 236 single-family detached dwellings for a density of 4.48 units per acre, generally to be built on the existing private road network.

The proposed development is not consistent with the mapped use of the *Dixie Berryhill Strategic Plan*. The property does lie directly in the approach to the large residential tract to the south, and is not impacted by airport noise issues. As such, the land use proposed is considered appropriate, subject to resolution of site plan issues.

The most significant site issue is providing greater connectivity, which should be addressed through modifications to the existing road network.

Site plan. The following site plan issues are outstanding:

- Provide more detailed notes on how garages are incorporated. The garages should be detached and recessed to the side or rear. They should not be primary focus of the residence's façade.
- All streets need to have an 8' planting strip and 5'0 sidewalk with large maturing street trees planted between curb and sidewalk.
- The cross-section of reverse frontage treatment along Amos Smith Road should be shown on the site plan.
- The details of the eight-foot noise abatement fence should be noted on the site plan.
- All department comments should be addressed.