

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007 - 118

Property Owner: Pearson Properties-Cainhoy I LLC / Eric and Allison Runge

Petitioner: Brookchase Properties

Location: Approximately 5.0 acres located on the northeast corner of Providence Road and Westbury Road, south of South Sharon Amity Road

Center, Corridor or Wedge: Center

Request: R-3, single family residential, to UR-2(CD), conditional urban residential, and R-5(CD), conditional single family residential

NOTE: This analysis reflects a review of the latest site plan (11/26/07) by the Planning Department staff but not by other review agencies.

Summary

Brookechase Properties is requesting that City Council change the zoning of these parcels to permit the development of up to 56 multi-family residential condominium units and three single family homes. This results in an overall density of 11.9 units per acre.

Consistency and Conclusion

The proposed development is consistent with the mapped use of the *South District Plan* (1993). It meets the GDP locational criteria for density of 12 dwelling units per acre, so long as it fully meets all of the Design Guidelines. As such, the land use proposed is appropriate, subject to resolution of site plan issues.

Existing Zoning and Land Use

The property consists of five parcels which are zoned R-3. To the northwest at the Providence Road and South Sharon Amity Road intersection is a MUDD(CD) zoned mixed-use retail/office development with parking along the street. Further northwest across Sharon Amity is the new Rosewood condominium residential project. The property backs up to a multi-family condominium complex, and to single-family homes. To the southwest across Providence Road is St. Gabriel Church.

Rezoning History in Area

The adjacent property at the southeast corner of South Sharon Amity Road and Providence Road was rezoned from B-1(CD) and R-3 to MUDD(CD) under petition number 2005-25. To the northeast, petition number 2006-87 rezoned the Cotswold Village Shops at Randolph Road and South Sharon Amity Road from B-1SCD to CC.

Public Plans and Policies

The *South District Plan* (1993) shows the subject property as multi-family residential. The *South District Plan* references the residential location criteria of the *General Development Policies* for areas of higher density development.

The Residential Location and Design section of the *General Development Policies* (2003) (GDP) provide the criteria for determining appropriate locations for higher density development. The site's score is as follows:

Assessment Criteria	Density Category - up to 12 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium; 3 uses in ½ mile)
Connectivity Analysis	2 (Low)
Road Network Evaluation	1 (Yes)
Design Guidelines	0 (no)
Other Opportunities or Constraints	NA
Minimum Points Needed: 12	Total Points: 8

The site is appropriate for development up to 12 dwelling units per acre, but only under a design that fully complies with the Design Guidelines.

Proposed Request Details

The petitioner proposes to construct four multi-family buildings, two with 16 units, and two with 12 units. Three single family homes would be constructed east of Bermuda Road. The development would include:

- Vehicular access from Bermuda Road, a platted but unbuilt street, to Westbury Road
- A six-foot sidewalk and eight-foot planting strip along Providence Road and Westbury Road.
- Dedication and conveyance of 50 feet from the centerline of Providence Road for future right-of-way.
- Reserving the right to seek abandonment of a portion of Bermuda Road and to seek a right-in, right-out only connection to Providence Road.
- A significant tree save area, although calculations of its size have not been provided.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT staff determined this site could generate approximately 150 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 375 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT staff had several concerns and suggested revisions related to this rezoning proposal: (these comments are based on the previous site plan)

- The system of internal streets has many locations of conflicting movements. The site plan should be modified to eliminate conflicts of turning vehicles.
- The private street connection needs to be perpendicular to Westbury Road through the setback.
- A 7-foot sidewalk is required along all adjacent parking.
- Dumpsters shall be located such that the maneuvering of the dumpster truck is uninhibited by curbs or parked vehicles.
- The abandonment of Bermuda Road is not supported. This existing public street provides direct access to a neighborhood retail and commercial center. Bermuda Road should be improved with sidewalks and bicycle lanes. If for any reason this connection is not feasible, a direct pedestrian and bicycle connection to the adjacent commercial land use is acceptable.
- The petitioner should provide 6 feet sidewalks and 8 feet planting strips on Providence Road, Westbury Road and Bermuda Road consistent with TAP and best practices.
- The site plan needs to provide an internal system of sidewalks that connects the building entrances to the sidewalks along the street.

CATS. CATS staff had no comments concerning this proposal.

Connectivity. The existing right-of-way of Bermuda Road has been incorporated into the plan for future connection purposes.

Storm Water. Storm Water Services staff identified downstream complaints consist of erosion and blockage. This site drains to a stream listed as impaired by the NC Division of Water Quality. Charlotte Storm Water Services recommended that this petition be revised to include the notes relation to water quality and drainage issues. Details of their requested changes are included in the attached memorandum.

School Information. CMS planners determined the development allowed under existing zoning would generate eight students, while the development allowed under the proposed zoning will produce 11 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is three students.

Outstanding Issues

Land Use. This proposal can be considered consistent with the *General Development Policies* Residential location and design criteria if a site plan that meets the design guidelines is submitted.

Site plan. The Department has several outstanding site plan issues, and a have requested that the petitioner provide a revised site plan. Staff has made the following requests for revisions:

- Staff requests that the petitioner label common open space and provide improvements within this space.
- The site plan needs to show an alternate dumpster location if Providence Road connection is constructed.

- While storm water detention and water quality measures are mentioned on the site plan there are no commitments to the water quality improvements. The commitments requested by Storm Water Services (see attached memo) need to be added to the site plan and the petitioner needs to show location of stormwater detention and water quality treatment area(s).
- A parking table and the layout of the underground parking are needed.
- There is no commitment to pedestrian scale site lighting. This needs to be added to the site plan.
- It is requested that the site plan be amended to show and label landscape buffers.
- There is no tree save calculation. The calculations need to identify the trees subject to being removed for storm water purposes. In addition, the statement “Existing trees to remain as feasible“ is not a commitment to tree save.
- The side yard for the single family lot at the corner of Bermuda Road and Westbury Road needs to be changed to 15 feet instead of the ten feet shown.
- It should be clarified that Bermuda Road must be built to public street standards, with sidewalks on both sides of the street.
- The petitioner needs to increase building and parking setbacks along Providence Road and Westbury Road, where the standards of the urban residential districts do not fit the circumstances.