

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

**Rezoning Petition No. 2008-26**

**Property Owner:** Tetrad Development, LLC / Neighbors Restorations, LLC

**Petitioner:** Tetrad Development, LLC / Neighbors Restorations, LLC

**Location:** Approximately 2.1 acres on the south side of Bruns Avenue

**Center, Corridor, or Wedge:** Wedge

**Request:** R-8, mixed residential district, to UR-2(CD), conditional urban residential

**Summary**

This petition is the second phase of an earlier development approved through rezoning Petition No. 2006-107. This phase consists of 29 townhomes, with a resulting density of 13.8 units per acre.

**Consistency and Conclusion**

This petition is consistent with adopted plans and policies and is appropriate for approval upon correction of the site plan deficiencies noted below.

**Existing Zoning and Land Use**

There is a single family neighborhood to the north of the site that is zoned R-8. The first phase of this development proposal is under construction review just east of the petitioned site. That site is zoned UR-2(CD). To the south is another single family area zoned R-8. To the south and west is a joint use school/park (Bruns Elementary School).

**Rezoning History in Area**

This petition represents the second phase of a larger development. The first phase was rezoned to UR-2(CD) in 2006 (petition number 2006-107) and abuts this site to the east.

**Public Plans and Policies**

The *Central District Plan* (1993) recommends residential land uses and the *General Development Policies* (2003) multi-family location criteria provide a recommendation for the appropriate density. That analysis is contained in the table below. Based on the evaluation this site is appropriate for a density of over 17 dwelling units per acre, with a site plan that meets design guidelines.

Assessment Criteria	Density Category - >17 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	5 (high)
Road Network Evaluation	0 (No)
<b>Design Guidelines</b>	<b>4 (Yes)</b>
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 14</b>	<b>Total Points: 14</b>

### **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- There are two vehicular connections to South Bruns Avenue and one to Sumter Avenue via the first phase of this development.
- The buildings have been reduced from five units per building to three units per building.
- The buildings fronting South Bruns Avenue have entrances on Bruns Avenue, with garages in the rear and accessed from a private drive in the interior of the site.
- Some tree save areas are identified but no sizes are provided.
- Elevations have been provided of three-story buildings.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** As of the preparation of this report CDOT had not submitted comments on the revised site plan. Those comments will be available at the public hearing.

**CATS.** CATS had no comments on this petition. Local bus service is about two blocks away.

**Connectivity.** This petition is satisfying the connectivity recommendations made by the staff.

**Storm Water.** This petition is satisfying the recommendations of Storm Water Services.

**School Information.** CMS estimates the number of students generated by this petition (9) would be less than that generated under the existing zoning (18). Therefore, this petition would have no impact on the school system.

### **Outstanding Issues**

**Land Use.** This petition is consistent with adopted plans and policies and is appropriate for approval.

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

- The site plan needs to clarify that a sidewalk connection to the public street sidewalk is being made at the entry next to “unit 10”.
- We are awaiting responses from CMS and Mecklenburg County Parks & Recreation regarding CDOT’s request for ped/bike access to the abutting school/park. Additional notes may be needed to address this issue.
- A note needs to be added that commits to meeting the “natural area” standards in the adopted Post-Construction Ordinance.
- A note needs to be added that there will be no direct vehicular access from South Bruns Avenue to any dwelling unit.
- A note needs to be added that limits buildings to an average height of 40 feet.