

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2005 - 161

Property Owner: David Liu, Alice Han, Renaissance on Rea, LLC and William and Melba McGinty

Petitioner: Terry Birch

Location: Approximately 10.83 acres located east of Rea Road and North of Pineville-Matthews Road.

Request: R-3, single-family and R-8MF(CD), multi-family conditional district to UR-2(CD), urban residential conditional district.

Summary

The request will extinguish an existing multi-family plan and incorporate R-3 property to allow sixty-eight town homes for sale in a gated community on 10.83 acres with an overall density of 6.28 dwelling units per acre.

Consistency and Conclusion

This request is consistent with the mapped use of the South District Plan. It does meet the General Development Policies location criteria for up to eight dwelling units per acre therefore, upon resolution of the outstanding site plan issues this request would be considered appropriate for approval.

Existing Zoning and Land Use

The surrounding properties are zoned R-3, R-12MF(CD), R-8MF(CD), and Institutional(CD) and are occupied by single-family dwellings, attached dwelling units, an assisted living facility and a religious institution.

Rezoning History in Area

The most recent rezoning was to the south on a 3.4 acre parcel that was rezoned under petition 2000-28 to allow twenty-seven attached for sale units.

Public Plans and Policies

The South District Plan (adopted 1993). This plan shows one of the three lots comprising the subject property as multi-family residential with up to eight dwelling units per acres by virtue of a prior rezoning. The other two lots are shown as single-family/multi-family at unspecified density. The Plan references the residential location criteria of the General Development Policies for areas of higher density development.

General Development Policies (adopted 2003). These policies provide criteria for determining appropriate locations for higher density development. The assessment consists of a point system used to evaluate individual sites. The site's score is as follows:

Assessment Criteria	Density Category – 8 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 (Medium Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 11

Based on the score, the site is appropriate for development with up to eight dwelling units per acre.

Proposed Request Details

This proposal would allow the development of sixty-eight town homes for sale in a gated community on 10.83 acres with an overall density of 6.28 dwelling units per acre. The site plan also includes the following:

- The petitioner will dedicate additional right-of-way along Rea Road to total fifty feet from the centerline of the road.
- The petitioner will construct a six foot wide sidewalk with a minimum eight foot wide planting strip along Rea Road.
- Existing trees within the twenty foot setback along Rea Road will be preserved.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT notes that this site could generate approximately 400 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 420 trips per day. This will have a minor impact on the surrounding thoroughfare system. Additional CDOT comments are attached.

CATS. CATS is requesting construction of a waiting pad as per CATS Development Standard 60.01A on Rea Road.

Connectivity. Connectivity is not an issue.

Storm Water. The Storm Water Services Department is requesting the following notes be added to the plan. The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed, including Rea Road, to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.

The petitioner shall control and treat the entire runoff volume for the post-development 1-year 24-hour storm. Runoff draw down time shall be a minimum of 24 hours, but not more than 120 hours. Peak storm water release rates should match pre-development rates for the 2-year and 10-year 6-hour storm events.

The use of structural storm water treatment systems (wet ponds, extended detention wetlands, bio-retention, etc) shall be incorporated into the site and designed to have an 85% average annual removal for Total Suspended Solids generated from the development according to specifications in the most recent version of the N.C. Department of Environmental and Natural Resources Best Management Practices Manual (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Additional Storm Water requirements are attached.

School Information. Adequacy of existing school capacity in this area is a significant problem. We are particularly concerned about rezoning cases where school utilization exceeds 100% since the proposed development will exacerbate this situation. Approval of this petition will increase overcrowding and/or reliance upon mobile classrooms at the schools listed below.

This development will add approximately 14 students to three schools in this area.

The number of students potentially generated under the current zoning is 14.

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. This request is consistent with the South District Plan and meets the criteria of The General Development Policies for higher densities and therefore, is considered appropriate for approval from a land use standpoint.

Site plan. The following site plan issues are still outstanding:

- A note should be added to the site plan indicating that wet detention will not be allowed in the setback along Rea Road.
- A detail of the masonry wall along Rea Road should be shown on the site plan.
- CATS comments should be addressed.
- Storm Water comments should be addressed.
- CDOT comments should be addressed.