

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

### **Rezoning Petition No. 2005-162**

**Property Owner:** W.W. Hagood, Jr., c/o Sally H. James

**Petitioner:** Tuscan Development

**Location:** Approximately 7.6 acres south of Carmel Road and west of Colony Road

**Request:** Change from R-3 (single family residential) to UR-2(CD) (conditional urban residential)

### **Summary**

This petition seeks approval for up to 36 multi-family condominium units on 7.6 acres, resulting in an overall density of 4.7 dwellings per acre.

### **Consistency and Conclusion**

This proposal is consistent with adopted plans and policies since the South District Plan land use map indicates this site as appropriate for residential uses and the General Development Policies support a density of up to 12 dwellings per acre.

Upon correction of the site plan deficiencies noted below this petition would be appropriate for approval.

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

The 7.64-acre parcel borders the Carmel Hill retirement complex to the southwest. Across Carmel Road to the east is the Carmel Crescent development of large single-family homes on small lots. To the northwest across Carmel Road are single family homes in the Giverny neighborhood.

### **Rezoning History in Area**

An attempt was made in 1994 to rezone property across Colony Road from the petitioned site from R-3 to R-8MF(CD). That petition was denied.

### **Public Plans and Policies**

The *South District Plan* (1993) designates the subject property as single-family residential, appropriate for a base density of up to three dwellings per acre. The *South District Plan* references the residential location criteria of the General Development Policies for areas of higher density development. Those General Development Policies (GDP) were revised in 2003

to include a map of the areas where the GDPs would apply. This site is within the area where the GDPs will apply. Those GDP location criteria result in support of up to 12 dwellings per acre on this site.

### **Proposed Request Details**

This petition seeks approval for up to 36 multi-family condominium units on 7.6 acres, resulting in an overall density of 4.7 dwellings per acre. The site plan accompanying this petition contains these additional provisions:

- There is one vehicular access to Colony Road. Petitioner will construct a left turn lane.
- A 101-foot strip of land has been left zoned R-3 along the entire Carmel Road frontage.
- There are three buildings proposed. The maximum height of the roof of the building closest to Carmel Road is 54 feet plus another seven feet in an “architectural element” in the corner of the building. The next building to the south has a maximum roof height of 66 feet plus the seven foot “architectural element.” The southernmost building has a maximum roof height of 54 feet.
- An existing pond on the site is to be preserved and used for detention and water quality purposes.
- The 30-foot setback along Colony Road will be landscaped to the equivalent of a Class “C” buffer with strict limitations on disturbances to the existing vegetation in the setback.
- Most parking will be located beneath the buildings but up to ten spaces may be surface parking.
- A bus stop pad will be installed on Carmel Road.
- Petitioner reserves the right to seek a variance from the requirement for a six-foot sidewalk and eight-foot planting strip along Colony Road in order to preserve existing street trees.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT estimates that there will be no increase in trips generated when comparing development under the existing zoning versus under the proposed rezoning. Carmel Road and Colony Road are both minor thoroughfares requiring a minimum of 70 feet of right-of-way. The developer/petitioner should convey right-of-way in fee simple title to meet this requirement, measuring 35 feet from the centerline of the roadways. CDOT believes that pedestrian and potential vehicular connections should be provided to the adjacent property to the southwest. CDOT is also requesting that an eight-foot planting strip and six-foot sidewalk be installed along the Carmel Road frontage even though that portion of the property is not included in the rezoning.

**CATS.** CATS desire for a bus stop pad has been satisfied.

**Connectivity.** CDOT believes that pedestrian and potential vehicular connections should be provided to the adjacent property to the southwest.

**LUESA.** LUESA has submitted requests for contacts regarding possible demolition of existing structures and a possible water supply well on the site.

**Storm Water.** Storm Water Services has requested specific language be added to the site plan dealing with water quality improvements and the use of the existing pond to achieve those improvements.

**School Information.** The school system estimates that the number of children added to the system under the proposed zoning (7) is LESS than the number expected under the existing zoning (10). Therefore, no impact is generated and no financial offset is being sought. See attached memo for detailed comments.

## **Outstanding Issues**

**Land Use.** 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 assessment consists of a point system used to evaluate individual sites. Included in the GDP criteria are General Design Guidelines for Multi-family and Attached Single-family Development. The site's score is as follows:

Assessment Criteria	Density Category – up to 6 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium; 3 uses in 1/2 mile)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
<b>Minimum Points Needed: 10</b>	<b>Total Points: 12</b>

Based on the above score, the site is appropriate for development at up to 12 dwelling units per acre.

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

- The specific language requested by Storm Water Services needs to be added to the plan.
- There are indications of “A” and “B” cross-sections through the site but these do not exist.
- The internal pedestrian circulation system needs to be detailed, with potential access to adjacent properties.
- Notes need to be added to respond to concerns by LUESA regarding demolition and the water supply well.
- CDOT's concerns need to be satisfied.
- Additional internal pedestrian amenities should be added to strengthen urban design features.