

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

### **Rezoning Petition No. 2005-167**

**Property Owner:** Dolphus Irvin Duckett, Jr., et al (six total owners)

**Petitioner:** Charter Properties, Inc.

**Location:** 55.0 acres south of W.T. Harris Boulevard, between Reames Road and I-77

**Request:** Change from R-3 (single family residential), R-5(CD) (conditional single family residential), and R-8MF (CD) (conditional multi-family residential) to R-12MF (CD) (conditional multi-family residential) and INST(CD) (conditional Institutional)

#### **Summary**

This petition seeks approval for a 588-unit apartment community with a density of 10.7 units per acre. A large childcare center (over 79 children) is also proposed.

#### **Consistency and Conclusion**

The Northwest District Plan (1991) supports residential use of this site, with densities to be determined by the General Development Policies (GDPs). This proposal is inconsistent with base General Development Policy's criteria, which only support a density of eight dwelling units per acre on this site. The proposed density is approximately 10.7 units per acre. However, since the petitioner is paying for the construction of the adjacent public greenway and the site is "sandwiched" between two higher intensity developments, the Opportunities and Constraints portion of the GDP criteria allow the staff to support this petition from a land use perspective. The remaining site plan issues need to be addressed.

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

To the north is CC and I-1(CD) zoning. The I-1(CD) portion is developed with industrial flex space while the CC portion is currently undeveloped. To the southeast is a large multi-family project in R-12MF(CD) zoning that is being developed in phases. To the southwest is a retirement/group home in R-3 zoning and a mix of single-family homes and townhomes being built in MX-2 zoning. An R-8MF(CD) site to the southwest is undeveloped but approved for multi-family residential or an elementary school.

#### **Rezoning History in Area**

Portions of this property were included in a 2002 rezoning that approved higher density single family residential and low density multi-family residential. The approved residential density is 4.17 DUA. Property to the north was rezoned to CC (commercial center) in 2005 for a large mixed-use project. Property to the southwest was rezoned in 2001 to MX-2 and R-8MF(CD). To the southeast, a rezoning to R-12MF(CD) for a large multi-family project was approved in 1995 for 520 apartments.

#### **Public Plans and Policies**

The *Northwest District Plan* (1990) is the current land use policy for this petition and recommends a base residential density of up to 4 DUA. The residential and design portions of the *General Development Policies* (2003) are applicable to this petition.

Assessment Criteria	Density Category - >8 up to 12 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	2 (Med-Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	0
<b>Minimum Points Needed: 12</b>	<b>Total Points: 11</b>

**As indicated in the worksheet above, the site scores 11 points which results in a recommended density category of up to only 8 DUA.**

The proposed *Northlake Area Plan* will get underway in early 2006 and will provide future land use policy when adopted by City Council.

### **Proposed Request Details**

This petition seeks approval for a 588-unit apartment community and a large childcare facility. The site plan accompanying this petition contains these additional provisions:

- Vehicular access is provided from two private streets to Reames Road and one driveway to the childcare facility. The petitioner has provided a potential connection to the multi-family parcel to the south provided access easements can be obtained.
- A minimum of 50% of the site will be common open space and at least 17.5% of the site will be tree save area.
- The maximum height of freestanding internal lighting will be 20 feet.
- A 50-foot Class "C" buffer is provided to the properties to the southwest that are surrounded by this project.
- Additional right-of-way along Reames Road and Fred D. Alexander Boulevard is being dedicated.
- A bus stop pad will be built per CATS standards on Reames Road.
- Petitioners are contributing \$140,000 towards construction of the greenway within this site.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT estimates that daily trip generation from this site will increase from 1800 to 4800 as a result of this development. Therefore, a Traffic Impact Study (TIS) has been requested. An eight-foot planting strip and six-foot sidewalk are included along Reames Road and extend over Long Creek to connect with the sidewalk being constructed as part of the Perimeter Woods development. Sidewalk will also be constructed across the frontage of the nursing home surrounded by this development, provided sufficient right-of-way exists or is acquired for the petitioner. The internal sidewalk system referenced in the notes needs to be shown on the site plan. The private streets will remain open to public access (not gated). See attached memo for detailed comments. A left turn lane is needed into the proposed childcare facility and the childcare needs to connect directly to the apartment community.

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

**Connectivity.** Potential connectivity to the multi-family parcel to the south has been provided.

**Storm Water.** Petitioners have agreed to all water quality improvements requested by Storm Water Services.

**School Information.** CMS estimates that 108 students would be generated from this property under existing zoning. They estimate that 207 students would be generated under the proposed zoning. This results in a net increase of 99 students. All schools in this attendance area are over capacity. CMS has requested that the petitioner meet with them to discuss ways to improve the adequacy of capacities in the affected schools.

### **Outstanding Issues**

**Land Use.** *The Northwest District Plan* (1991) recommends single family residential uses for this site and provides for multi-family proposals to be evaluated using the multi-family locational criteria in the General Development Policies. That evaluation results in a recommendation for 6-8 dwelling units per acre. The proposal is for 10.7 units per acre, so this proposal is inconsistent with adopted land use policies. However, since the petitioner is paying for the construction of the adjacent public greenway and the site is “sandwiched” between two higher intensity developments, the Opportunities and Constraints portion of the GDP criteria allow the staff to support this petition from a land use perspective.

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

- Since amenities are to be provided in each phase of the development, the historic home should be preserved and used as a clubhouse or other structure.
- The site plan needs to contain a commitment to provide vehicular access to the greenway if the greenway is built on the south side of Long Creek.
- The internal sidewalk system needs to be shown and more specificity provided for pedestrian lighting (e.g. spacing). With on-street parking, planting strips widths are needed on the internal sidewalks.
- The maximum number of children allowed in the childcare facility needs to be specified.
- CDOT’s issues need to be satisfactorily resolved.
- The setback for the proposed childcare facility is 40 feet; not 30 feet.
- The proposed childcare center should front the road with parking to the side of the building.
- CDOT’s request for a left turn lane for the childcare facility and for internal connectivity to the childcare facility need to be satisfied.
- The site plan needs to make it clear that the childcare facility is to be zoned Institutional (CD).
- Lighting note #4 should be modified to provide for capped “and fully shielded” exterior lights.
- Tree save and water quality improvements are also needed specifically for Tract B.