

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: 53.6 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)

NOTE: Petitioners have requested a one-month deferral to add a use and potentially add additional land to this petition. Staff concurs in the deferral request.

Summary

This petition seeks approval for a 632-unit apartment community, with a resulting density of 11.65 units per acre.

Consistency and Conclusion

This proposal is inconsistent with adopted General Development Policies, which only supports a density of eight dwelling units per acre on this site. The proposed density is approximately 11.65 units per acre. Therefore, staff is unable to support this petition from a land use perspective.

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 the remaining 18.62 acres of this petition that recommends residential land uses 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
Minimum Points Needed: 12	Total Points: 11

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 632-unit apartment community. The site plan accompanying this petition contains these additional provisions:

- Vehicular access is provided from two private streets/driveways to Reames Road. 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.
- It appears that 20 feet of additional right-of-way along Reames Road is being reserved.
- A bus stop pad will be built per CATS standards on Reames Road.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT estimates that daily trip generation from this site will increase from 1750 to 4250 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 needed along Reames Road and need to extend over Long Creek to connect with the sidewalk being constructed as part of the Perimeter Woods development. Sidewalk should also be constructed across the frontage of the nursing home surrounded by this development. The internal sidewalk system referenced in the notes needs to be shown on the site plan. The streets need to remain open to public access (not gated). See attached memo for detailed comments.

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 223 students would be generated under the proposed zoning. The cost of providing the capacity for the 115-student increase is estimated to be about \$2.6 million. 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 11.65 units per acre, so this proposal is inconsistent with adopted land use policies and cannot be supported by the staff.

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

- A note needs to be added to the plan committing to the eight-foot planting strip and six-foot sidewalk along Reames Road, including the connection to the Perimeter Woods development. The illustrative needs to conform to the right-of-way dedication language in the notes.
- 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 driveways having parking, planting strips are needed on the internal sidewalks.