

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-24

Property Owner: Margaret, Elizabeth, and Virginia Hawfield

Petitioner: Pulte Homes

Location: Approximately 37.5 acres north of Ardrey Kell Road and east of Lancaster Hwy (US 521)

Request: Change from R-3 (single family residential) to MX-2 (innovative mixed residential)

Summary

This petition seeks approval for single family attached homes at up to six dwellings per acre or 224 units.

Consistency and Conclusion

This proposal is consistent with adopted land use plans for the area. The petition would be appropriate for approval upon correction of several significant site plan deficiencies.

Existing Zoning and Land Use

There is a subdivision of estate lots to the north and east of the site in R-3 zoning. Also to the east is undeveloped land that was recently rezoned for townhome construction. Across Ardrey Kell Road to the south is undeveloped land that will be a school and park in the future. To the west is undeveloped land that was recently rezoned for a neighborhood shopping center.

Rezoning History in Area

Neighborhood shopping centers were approved both east and west of the site in 2005. A townhome development was included in the rezoning to the east. Also in 2005, a rezoning for an indoor sports facility was approved across Ardrey Kell Road from the site.

Public Plans and Policies

The *South District Plan* (1993) shows the subject property as single-family residential. The *South District Plan* references the residential location criteria of the General Development Policies for areas of higher density development.

- 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. In order to gain the four points from the Design Guidelines item, all of the standards must be met. The site’s score is as follows:

Assessment Criteria	Density Category > 6 to 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 up to 8 dwelling units per acre, but only under a design that fully complies with the Design Guidelines.

Proposed Request Details

This petition seeks approval for single family attached homes at up to six dwellings per acre or 224 units. The site plan accompanying this petition contains these additional provisions:

- There are vehicular access points to the site; one from the approved development to the east, one from the approved development to the west, one directly from Ardrey Kell Road, and one stub extension in the northwest portion of the site.
- Photographs of the proposed buildings have been submitted in lieu of elevations.
- The petitioner has agreed to provide detention but not the water quality improvements requested by LUESA and Storm Water Services.
- Innovative standards are being requested for right-of-way widths, street types, dimensions and construction standards, and setbacks.
- There is a pedestrian connection to the approved shopping center to the west.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT is requesting that in lieu of normal street edge requirements, the petitioner contribute to a City fund for the widening of this section of Ardrey Kell Road. There is a specific reference to how that funding level will be determined. CDOT is also requesting that the petitioner provide documentation that there is a deed restriction preventing subdivision of the property to the north of the site. Without that documentation CDOT will seek a stub street extension to the north. See attached memo for additional detailed comments.

CATS. CATS is requesting sidewalk along Ardrey Kell Road.

Connectivity. CDOT is potentially requesting additional connectivity from this site if deed restrictions do not prohibit redevelopment of the site being stubbed to.

Storm Water. Storm Water Services has requested detention and water quality improvements. The petitioner has agreed to detention but will only comply with water quality ordinances in effect at the time of development.

School Information. CMS estimates that the proposal would generate 32 students. This is less than the number that would be generated under the existing zoning. Therefore, this petition has no incremental effect on the school system.

Outstanding Issues

Land Use. There are no land use issues associated with this petition. This petition is appropriate for approval from a land use perspective.

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

- The failure to commit to requested water quality improvements is a fatal deficiency in the view of the staff. Staff cannot support this petition without these water quality improvements. The petitioner proposes to comply with ordinances in effect at the time of development review. Unfortunately, we don't know when the Post Construction ordinance will be adopted. Any development approved in the meantime (without water quality commitments) is essentially grandfathered out of those improvements for all time. That is not how a community protects its natural environment.
- Although this is a heavily wooded site the petitioner is only proposing to comply with minimum ordinance standards for tree save. With a multi-family housing form and a density of only six homes per acre, there should be ample opportunity to meet the request for 17.5% tree save.
- It appears that the major improved open space is "at the developer's option."
- CDOT's concerns for connectivity and road design must be addressed. The specific City Code language referenced for funding Ardrey Kell Road improvements needs to be added to the site plan.
- A commitment to pedestrian scale lighting needs to be added and the height limited to 15 feet.
- The photo of the buildings' ends that will be facing Ardrey Kell Road has vegetation screening in front of what staff believes to be a "fake" window of spandrel glass. Overall, the wall is largely blank. This treatment needs to be improved. A cross-section of this setback with details on screening is also needed.
- More detail is needed regarding the pedestrian/bike connection to the shopping center site. What is the material, width, etc.?
- A six-foot sidewalk behind an eight-foot planting strip is needed along the frontage of the access road to the shopping center site.
- Sidewalk needs to be extended along the access road to the east, and from the two dead-end streets to Ardrey Kell Road.
- The 18-foot separation between sidewalk and garages needs to be increased to 20 feet.
- The 50-foot Class "C" buffer is not shown on the northern and western boundaries.