

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-063

Property Owner: Cates & Broome

Petitioner: Provident Development Group LLC

Location: Approximately 9.6 acres located north of the intersection of Mountain Island Drive West and Brookshire Boulevard

Request: R-3(MI-CA), single family residential to R-8(CD) (MI-CA), multi-family residential conditional district (in the Mountain Island Critical Area)

Summary

This petition will allow the development of 19 residential triplex units as a part of a second phase of development for Preservation Point. The property is located in the Mountain Island Critical Area 4 – Lake Front. The overall density for the entire Preservation Point development will be 1.97 units per acre.

Consistency and Conclusion

This petition is consistent with the adopted plans for the area and the Mountain Island Critical Area 4 watershed standards. Upon resolution of the outstanding site plan issues, this petition is appropriate for approval.

Existing Zoning and Land Use

The property to the north of the petitioned site is zoned R-8 (CD) and R-5 (CD). The remaining properties surrounding the site are zoned R-3 single family residential.

Rezoning History in Area

In 2003, approximately 90 acres was rezoned to R-5 (CD) and R-8 (CD) to allow the development of 77 single-family homes and 108 triplexes. The current request is to add 9.56 acres and 19 new triplex units to the development with an overall density of 1.97 units per acre.

Before the 2003 petition, the most recent rezoning occurred south of the subject properties in 2001. Approximately 60 acres located on the east and west sides of Rozzelles Ferry Road, west of Brookshire Boulevard were rezoned from R-3 to O-1(CD), MX-2 and NS to allow development of approximately 70,000 square feet of retail uses, up to 280 detached or attached dwelling units with an overall density of 6 dwelling units per acre, and up to 30,000 square feet of office uses.

Public Plans and Policies

- The *Northwest District Plan* (1990) provides the current land use policy for the area that recommends single-family land uses under 1 DUA.
- The residential portion of the *General Development Policies* (2003) apply to this petition. For density increases up to 4 DUA, the point system in the matrix is not applicable. As per the GDP, the site should be assessed to ensure that water and sewer will be adequately provided. The plan, as submitted, meets the appropriate design guidelines established for multi-family developments of this density.

Proposed Request Details

The site plan notes associated with this petition indicate 19 triplex units; however, the drawing shows 18. The plan shows the individual lots and sub lots, tree save area and common open space. A 50-foot undisturbed setback is provided along Brookshire Boulevard in accordance with the 2003 petition.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 260 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 110 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The City's *Driveway Regulations* require that driveways be offset a minimum of 10 feet from the side property line and that driveways be separated by a minimum of 20 feet from each other. The maximum width of a shared Type I residential driveway should be in the range of 20-24 feet. In order to achieve this design requirement, shared and side-loaded driveways need to be provided.
- Roadway improvements to Mountain Island Drive West should consist of 5-foot sidewalk, 8-foot planting strip, and 2.5' curb and gutter being extended to Brookshire Boulevard and terminating with an accessible ramp. These items can be constructed in the control access area through an encroachment agreement with the North Carolina Department of Transportation.

CATS. CATS did not comment on this petition.

Storm Water. The petitioner shall include the following notes on the petition:

Storm Water Quantity Control: The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed 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.

Storm Water Quality Treatment: For projects with defined watersheds greater than 24% built-upon area, construct water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0 (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

Volume and Peak Control: For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.

School Information. CMS reports that the development allowed under existing zoning would generate 13 students, while the development allowed under the proposed zoning will produce 8 students. Since development of the property under existing zoning would generate more students than the proposed development, the incremental impact is 0.

Outstanding Issues

Land Use. Adding this phase of triplex development will increase the Preservation Pointe development acreage to 102.96 acres with 203 units. The overall proposed density is 1.97 units per acre which is consistent with the GDP and the Mountain Island Critical Area 4 density restrictions.

Site plan. The following site plan issues are outstanding:

- Each building should have a shared driveway.
- Some of the units should be arranged to accommodate side loaded garages.
- The site plan notes indicate 19 additional units and the drawing shows 18 units. This should be clarified.
- A note should be added to the site plan tying the properties in petition 2003-39 and the current petition together by indicating that the overall density for the entire 102.96 acres is 1.97.
- A five-foot sidewalk and 8-foot planting strip should be shown on the internal street.

- Screen ground mounted HVAC and utilities viewable from public ROW with landscaping, fencing or other method that compliments the residential character of the street. Preferably, these systems should be placed to the side or rear of the house.
- Provide a landscaping plan. The provision to provide street trees will not suffice because of the number of driveways proposed for each building. The City recommends a mature tree to be planted every 40 feet in the planting strip. On this plan a tree can only be planted every 115 feet.
- It appears that this development will create a substandard streetscape due in part to the lack of tree canopy in the planting strip, the replacement of the traditional pervious front yard with driveways, and a repetitious building foot print design that suggests every residential building will look the same. This development plan can be improved by:
 - Planning the development around a landscaping plan
 - Creating yards in the front of the buildings with connections between the front door and public sidewalks
 - Placing the driveways to the side and rear of the building and minimizing the amount of contiguous area they cover. Utilize shared driveways when possible.
 - Changing the style and footprint of the buildings to prevent the design of a monotonous, bland set of residential buildings, and
 - Add architecture to the front of the units that create a sense of place. This includes, at a minimum, adding windows that are in proportion with the overall scale of the building, varying roof pitches (unless it's a flat roof, then vary the height), recessing windows and doors, creating front porches in proportion with the structure, allowing the creative use of materials, adding balconies and other design details that add character to the building.
- Provide a tree survey that shows areas where trees can be preserved behind the setback and integrated into the development plan.
- Provide building elevations.