

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006 - 78

Property Owner: Steele Creek Baptist Church, Inc./AF & AM of Mecklenburg, Steele Creek Lodge No. 737/Waters Construction, Inc./Dixie River Land Company, LLC/SBG, Inc./NCDOT/D.R. Horton, Inc. and Pappas Properties, LLC

Petitioner: Pappas Properties, LLC

Location: Approximately 314.2 acres located west of Steele Creek Road between Dixie River Road and Shopton Road West.

Request: R-3, MX-1, CC, O-2(CD) and BP (LLWCA, LLWPA) to CC, CC site plan amendment, BP site plan amendment, O-2 site plan amendment, O-2(CD) and MX-1 (LLWCA, LLWPA)

Summary

This request proposes to rezone or amend the zoning designation for 314.2 acres. The properties were a portion of a larger 979.24-acre rezoning approved under petitions 2001-30 and 2001-06(c). The site plan proposes a mix of uses as outlined in the “Proposed Request Details” below.

Conclusion

This request is consistent with the Dixie Berryhill Strategic Plan, which recommends residential up to five dwelling units per acre and employment/mixed uses on this site. This request would be appropriate for approval upon an administrative approval being submitted for the existing conditional site plan reducing the number of allowable units and the retail, office, and business park square footages. All outstanding site plan issues should be addressed.

Existing Zoning and Land Use

The existing zoning is the result of two petitions 2001-30 and 2001-06(c) and includes the 979.24 acres with the following development rights:

- Parcel “A” 218.3 acres zoned CC includes 250,000 square feet of retail on 35.5 acres, 600,000 square feet of office uses on 92.3 acres and 750 multi-family units on 90.5 acres.
- Parcel “B” zoned O-2(CD) includes 50,000 square feet of office uses or a 150-room hotel on 5.2 acres.
- Parcel “D” zoned MX-1 includes 530 single-family or attached units on 213.55 acres.
- Parcel “E” zoned MX-1 includes 1600 single-family or attached units on 485.09 acres.
- Parcel “F” zoned BP includes 600,000 square feet of business park uses on 57.1 acres.

Rezoning History in Area

There have been no recent rezonings in the immediate vicinity.

Public Plans and Policies

Dixie Berryhill Strategic Plan (adopted 2003). This plan recommends residential up to five dwelling units per acre and employment/mixed use development on this site. The types of residential development at this density include single-family detached, patio homes, and attached single-family townhouses.

Proposed Request Details

This request proposes to amend an area containing 314.2 acres within the 979.24 acre Berewick mixed use development master plan. The site plan includes the following:

- Parcel “A” proposes to rezone 151.3 acres from R-3 and BP to CC with a CC S.P.A. to allow 910 attached residential units, 250,000 square feet of retail uses, and 300,000 square feet of office uses.
- Parcel “B” proposes to rezone 103.8 acres from CC and BP to MX-1 to allow 250 single-family lots, a church or 12 townhomes to the acre on the church parcel if the church is not constructed.
- Parcel “C” proposes a BP S.P.A. for 21.4 acres to allow 375,000 square feet of business park uses.
- Parcel “D” proposes to rezone 6.2 acres from R-3 to O-2(CD) with an O-2(CD) S.P.A. This will allow 50,000 square feet of office uses or a 150-room hotel with an option to develop 20,000 square feet of office and the 150-room hotel.
- Parcel “E” proposes to rezone 21.9 acres from R-3 to MX-1 to allow 120 townhomes.
- Parcel “F” proposes to rezone 9.6 acres from BP to CC with a CC S.P.A. to allow commercial uses within the square footage limitations of parcel “A”.
- The plan would allow up to five outparcels with drive thru service windows within the CC portion of the site.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT notes that this proposal could generate approximately 24,000 trips per day. This will have a significant impact on the surrounding thoroughfare system. CDOT has requested a revised Traffic Impact Study. Additional CDOT comments are attached.

CATS. CATS would like to explore the possibility of accommodating a transit park and ride facility and a layover for two shuttle buses within this site.

Connectivity. Additional connectivity should be shown.

Storm Water. Storm Water Services has no additional comments at this time.

School Information. School comments will be provided at the public hearing.

Outstanding Issues

Land Use. This request is consistent with the Dixie Berryhill Strategic Plan which recommends residential up to five dwelling units per acre and employment/mixed use development on this site. The types of residential development at this density include single-family detached, patio homes, and attached single-family townhouses.

Site plan. The following site plan issues are still outstanding:

- The petitioner should seek an administrative approval to the existing approved plan to reduce the number of allowed residential units and the business park, retail, and office square footages prior to approval of this request.

This amendment along with the administrative approval to the existing site plan would decrease the allowable business park square footage from 600,000 to 375,000, decrease the allowable office square footage from 650,000 to 350,000 and increase the number of residential units from 2,498 to 2,726.

- The petitioner has also included a note on the site plan indicating options to transfer units from the previously approved plans to this site. This is extremely difficult for staff to administer and track development rights. The petitioner should remove all references to the presently approved plan.
- If single-family development will utilize reverse frontage along roadways it should be noted that a thirty-foot buffer will be provided and will meet the standards of pending Section 12.308.
- The petitioner is requesting five outparcels to accommodate drive-thru service uses for parcel "A". A note should be added that only three of the five outparcels will be "independent parcels" as outlined in the general development policies.
- The petitioner should include a schematic site plan for parcel "F" and restrict the type of uses allowed.
- The petitioner should commit to having staff review the final layout of the commercial components of the site to assure compliance with this plan and the general development policies.

- The petitioner should commit to no “wall pak” type lighting throughout the site and not just adjacent to residentially zoned land or public street right-of-way.
- Pedestrian scale lighting should be provided throughout the site.
- The petitioner should remove the two access points on the site plan which show access across residential property to commercial property.
- The site plan should show a future connection from parcel “E” to the property to the south.
- The petitioner should label the type and width of all buffers.
- The petitioner should show all tree save areas.
- The project edge on parcel “C” should be shown as 100 feet.
- The existing zoning on parcel “A” should be corrected to include BP and MX-1.
- The existing zoning on parcel “B” should be corrected to include BP.
- The proposed zoning on parcel “D” should be corrected to include O-2(CD) SPA.
- The proposed zoning on parcel “F” should be corrected to include CC SPA.
- CDOT issues should be addressed.
- CATS is requesting a possible park and ride.