

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-058

Property Owner: Bryant Park, LLC

Petitioner: Bryant Park, LLC

Location: Approximately 36.14 acres located on the east side of Berryhill Road between Morton Street and Freedom Drive.

Center, Corridor or Wedge: Corridor

Request: R-22 MF, multi family residential and I-1, light industrial to MUDD (CD), mixed-use development district conditional district.

Summary

This petition proposes to rezone approximately 36.14 acres to allow the redevelopment of the Westwood Apartments. The proposed development will consist of 600 residential units with an overall density of 16.6 units per acre with a density of 16.6 dwellings per acre. The development will include single-family homes, row houses, condominiums, multi-family units and structured parking.

Consistency and Conclusion

The proposed development is consistent with the *Central District Plan*; is consistent with the densities proposed in the *GDP Transit Station Area Principles*; and is consistent with the Draft *Bryant Park Plan*. Therefore staff is recommending approval of this petition upon resolution of the outstanding site plan issues.

Existing Zoning and Land Use

The 36.136 acre parcel is zoned R-22MF, and until recently was occupied by an apartment complex. The site borders a future greenway to the north, with older warehouse and some minor retail properties which are zoned I-1 beyond the greenway. To the east across Berryhill Road is the Columbus Circle residential neighborhood, consisting of single-family and duplex homes which are zoned R-5 and R-8. To the south is a small cluster of single-family homes in an area of R-22MF zoning, and beyond that, a mix of older office/warehouse/industrial properties within O-2 and I-2 zoning districts fronting on West Morehead Street.

Rezoning History in Area

The most recent rezoning in the immediate area was petition 2006-054 on Thrift Road and Freedom. The property was rezoned from I-2, general industrial to MUDD (CD) for the

development of 500 dwelling units at 23.8 dwelling units per acre and 20,000 square feet of office.

Petition 2002-114 by LandCraft Properties rezoned approximately 25 acres to the east of Thrift Road to create an urban-style residential community consisting of detached single-family residences and town home condominiums. The property was originally zoned R-8 and I-1, which allow eight single-family dwelling units per acre and light industrial use, respectively. The developer is in the process of modifying the site plan on this site.

Public Plans and Policies

The *Central District Plan* (1993) shows the subject property as Multi-family residential I.

The *Westside Strategic Plan* (2000) and *West Morehead Corridor Vision and Concept Plan* (2001) addressed areas adjoining the subject site, but did not make specific recommendations related to this property.

The property is in close proximity to the West Corridor Transit line. In the long term, The Metropolitan Transit Commission has designated this to be a streetcar route. In the short term, an enhanced bus route, connecting downtown and the airport, is scheduled to be implemented. The transit study effort determined that this area should be developed with high density mixed uses to support viability of the future streetcar line. A station location is likely along West Morehead at Millerton. Because of its proximity to transit station locations, the *Transit Station Area Principles* adopted by City Council in November 2001 as a part of the *General Development Policies* are relevant. The policies encourage higher density development in close proximity to transit. To date, the exact station location has not been determined or ratified by City Council.

The DRAFT *Bryant Park Plan*, currently under development, is intended to incorporate transit, redevelopment, and economic development goals for the area, and carry them forward in a new policy document. This project and two other large projects set forth a major opportunity for area revitalization. This applicant has been involved in plan preparation, and this application is consistent with the draft plan, not yet reviewed or approved by City Council.

Proposed Request Details

The site plan accompanying this petition shows the proposed use as single-family detached and attached and multi family. The development will occur in four phases with phases 1, 2, and 3 consisting of single-family lots, row houses and quadraplexes; and phase 4 consisting of multi- family housing. Parking will be provided at the rate of 1 space per dwelling unit and garage parking will be provided to meet the parking requirements. Two access points are provided from Millerton Avenue and four from Berryhill Road. Lower density housing is proposed along the western edge to provide a transition to the adjoining Columbus Circle single-family neighborhood.

The site plan limits detached lighting to 20-feet and prohibits the use of wall pak lighting. Detached lighting will be fully shielded. An internal sidewalk system will be provided to connect the multi-family units with sidewalks on adjacent public right-of-ways.

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 4,800 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 5,700 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 existing entrances of 18-foot alley that parallels Berryhill Road are too close to public street intersections and need to be closed. The remaining portion of this existing 18-foot alley can be terminated at both ends with a hammerhead turnaround and alternate access provided to Fleetwood Drive.
- The proposed “Y” shape intersection connecting a proposed local street to Fleetwood Drive needs to be changed to a “T” shape intersection.
- The proposed typical road cross section needs to provide enough right-of-way width to contain the street width, 8-foot planting strip, 5 or 6-foot sidewalk, and 7-feet for on-street parking.
- For streets with on-street parallel parking, bump outs need to be provided at intersections beginning at a minimum distance of 20-feet from the end of the curb radii.
- All intersecting streets need to have an angle between them of no less or more than 90 degrees to provide a convenient line of sight for vehicle operators approaching the intersection.
- The proposed street with a right-of-way width of 50 feet that is to be dedicated as part of the Phase Four Development needs to be increased to 60 feet (Collector street). Additionally, this Collector street needs to be designed to connect with Morehead Street (250-foot minimum radius) and be extended in the future to Freedom Drive. Millerton Avenue will need to be realigned so that it connects to this Collector street at 90° (T-intersection). An additional 10 feet of right-of-way needs to be dedicated along the existing Millerton Avenue frontage of the Phase Four Development area. This collector needs to be built by the developer and it could be placed where development would occur on both sides of the street.

CATS. CATS requests the petitioner preserve the existing bus stops located at Millerton Avenue at Morehead Street and Millerton Avenue at Fleetwood Drive. Furthermore, CATS requests the petitioner to construct sidewalks along the existing Millerton Avenue and construct two (2) waiting pads concurrent with sidewalk construction on Millerton Avenue in the locations described below:

- Waiting pad per CATS Development Standards 60.01A on Millerton Avenue abutting the petitioner's property on Tax Parcel ID #067-044-01 Lot 15, approximately 40' before the intersection of Millerton Avenue and the proposed 20' alley.
- Waiting pad per CATS Development Standards 60.01A on Millerton Avenue abutting the petitioner's proposed phase four multi-family development area on Tax Parcel ID #067-031-15. The waiting pad should be located approximately 10' before the proposed driveway entrance to the proposed phase four development area multi-family property.

Connectivity. The proposed development proposes the use of existing and new streets for this project. Connectivity will be addressed as a part of subdivision and planned multi-family review.

Parks and Recreation. Located in the Central Park District I, the northern boundary of the property is bordered by a tributary to Stewart Creek Greenway. This tributary will connect Camp Greene Park to Stewart Creek Greenway at Morehead Drive and Freedom Drive. MCPR has the following comments regarding the proposed rezoning:

- MCPR requests dedication of the entire SWIM buffer.
- The proposed BMP area will need to be redesigned to provide for the requested dedication of the SWIM buffer. Furthermore, the redesign of the BMP will need to ensure the outfall does not conflict with the future greenway trail.
- The site plan identifies a small area of common open space as "overlap area." It is unclear what the designation is meant to convey. MCPR is not aware of any land negotiations between the department and the petitioner that would provide for this area. The petitioner will need to clarify the meaning of the area.
- MCPR requests the petitioner provide two greenway neighborhood entrances to the proposed development -- one entrance in Phase Three and the second in Phase Four. The entrance in Phase Three should be at least forty (40) feet wide. MCPR will work with the petitioner to locate the entrance to Phase Three.
- The proposed 50' future ROW proposed in Phase Four provides an important greenway connection to the public street network. Therefore, MCPR requests Note #20 be changed to read, "The Petitioner, or its successors, will dedicate a 50' right-of-way in the location indicated in the Phase Four Development Area if a public road connecting Millerton Avenue to a greenway connector road system is shown on the approved Bryant Park Small Area Plan. If such a road is not part of the Bryant Park Small Area Plan, the petitioner shall dedicate the area as a proposed greenway neighborhood connection to the Phase Four Development Area."

Storm Water. All Storm Water comments have been addressed.

School Information. The development allowed under existing zoning would generate 222 students, while the development allowed under the proposed zoning will produce 425 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 203. See attached memo for more information.

Outstanding Issues

Land Use. The proposed development is consistent with the mapped use of the *Central District Plan*. It also conforms to densities proposed in the *GDP Transit Station Area Principles*, with concepts currently under discussion for transit related uses along the West Transit corridor, and with the Draft *Bryant Park Plan*. As such, the land use proposed is appropriate, subject to resolution of site plan issues.

Site plan. The following site plan issues are outstanding:

- The cross section of the area from Evergreen Drive to the Floodway should be shown.
- A typical layout of the homes should be provided and should include garages where applicable.
- Dumpster sites should be shown on the site plan in case the future homeowners association wants to request city service as required by City Zoning regulations.
- The site plan should indicate who will construct the future road (note #20). The road should be constructed as a part of the Phase Four development.
- Provide conceptual building elevations of all products facing public streets
- Provide an 8' planting strip and 6' sidewalk along Millerton Ave.
- Clearly show the sidewalks (fronting the residential units) along the common open spaces
- Provide stoops or patios abutting open space fronting the town and row houses
- Indicate tree save area (are the trees shown abutting Berryhill Rd existing and if so will they be preserved?)
- Provide pedestrian crosswalks or raised tables on public right-of-way between open spaces for ped-circulation (provide pedestrian circulation map)
- Consider screening the dry pond (as it is next to Berryhill Rd)
- Consider providing balcony/stoop on the side-facing row house units to make the open space more usable (they might want to provide side elevations)
- Provide a section of the northern portion of the site to illustrate the finished floor relationship to the street and greenway