

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-108

Property Owner: Jean M. Harkey

Petitioner: Jean M. Harkey

Location: Approximately 1.31 acres on the east side of Rea Road, east of Colony Road

Center, Corridor or Wedge: Wedge

Request: B-1(CD), conditional neighborhood business, to R-8MF(CD), conditional multi-family residential

Summary

This petition seeks approval for up to 10 multi-family residential units on 1.31 acres, resulting in a density of 7.6 units per acre.

Consistency and Conclusion

This proposal is consistent with the *South District Plan* and the density is consistent with the *General Development Policies* (GDPs). Upon correction of the substantial site plan issues noted below this petition would be appropriate for approval.

Existing Zoning and Land Use

The existing B-1(CD) zoning is a carryover from the previous use, a plant nursery. There is a shopping center across Rea Road that is zoned Neighborhood Services and a single family residential neighborhood that is zoned R-3. To the east and south are other neighborhoods zoned R-3. To the west is a portion of the nursery, still zoned B-1(CD).

Rezoning History in Area

A rezoning to R-8MF(CD) for a townhome project west of Colony Road was approved in 1999. The neighborhood shopping center was approved in 2002 and the original B-1(CD) rezoning for the nursery was approved in 1989.

Public Plans and Policies

The *South District Plan* (1993) shows the proposed land use for the subject properties as single family residential. However, the Plan does make reference to the GDPs for density requirements. The score for the GDPs location criteria is below.

Assessment Criteria	Density Category - >6 up to 8 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Medium)
Connectivity Analysis	3 (Medium)
Road Network Evaluation	0 (No)
Design Guidelines	0 (No)
Other Opportunities or Constraints	NA
Minimum Points Needed: 11	Total Points: 8

Proposed Request Details

The site plan accompanying this proposal includes these additional provisions:

- The ten units are in one U-shaped building that is about 440 feet long. The leg of the “U” closest to the existing single family neighborhood is about 180 feet long.
- A 12-foot class “C” buffer within a 30-foot side yard is proposed abutting the single family residences to the east.
- A maximum height of 40 feet is proposed.
- Petitioner has agreed to dedicate 35 feet from the centerline of Rea Road.
- Water quality improvements will be installed per Storm Water Services recommendation.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT needs the driveway location to be coordinated with the property across the street.

CATS. CATS request for sidewalks has been satisfied by the petitioner. There is an express bus Park & Ride just west of the site on Rea Road.

Connectivity. There are no opportunities for additional connectivity from this site.

Storm Water. Storm Water Services is satisfied with the proposed water quality improvements and is not requesting any additional measures.

LUESA. LUESA is requesting that a note be added that the developers will submit a solid waste management plan for any demolition on the site.

School Information. CMS estimates that no students would be generated from the site under the existing zoning or the proposed zoning. This petition will have no impact on the school system.

Outstanding Issues

Land Use. This petition is consistent with the *South District Plan*, which recommends residential uses for the site. The requested density would be consistent with the GDPs residential location standards if the residential design criteria were met by addressing the site plan issues noted below.

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

- The proposed building is unsuitable for this location in terms of mass and scale. The mass of the 180-foot long building needs to be broken up. Making these townhomes part of a single structure appears artificial. More detail is needed on how the two building “wings” are connected. In addition, the fire truck turnaround passes through the building.
- The proposed trees to be saved are labeled “existing trees to be potentially saved”. This is not a commitment to save trees. Tree save areas need to be identified and calculations provided.
- The five-foot sidewalk must extend from the farthest unit all the way to the public sidewalk along Rea Road.
- Trees in the front setback that are over eight inches in diameter must be surveyed and preserved. These need to be shown on the site plan.
- A note needs to be added that at least 20 feet must be maintained between the sidewalk or pavement and the fronts of garages.
- The site data table needs to be corrected to show that a minimum 10-foot side yard is required abutting single family residential.
- The 12-foot buffer shown on the site plan is actually 14 feet. Buffers may not be used for a townhome’s private open space.
- The large fire truck turnaround at the end of the driveway passes through the building, intrudes into the required buffer and takes several trees that could otherwise be saved.
- The notes provide for brick columns for the fence but the detail does not include the brick columns.
- The site plan indicates a parcel size of 1.214 acres, which would not support the requested number of units. Change the site plan to reflect the latest survey (12/31/07) that indicates a 1.31-acre size.
- Pedestrian scale lighting should be installed.
- There needs to be some usable common open space with some amenities.