

**ZONING COMMITTEE
RECOMMENDATION
June 25, 2008**

Rezoning Petition No. 2007-140

- Property Owner:** Eleanor M. Moody, Trustee and Dewey and Elizabeth Gail
- Petitioner:** Hill Land Corporation (formerly The Altura Group)
- Location:** Approximately 14.80 acres located on the east side of Reames Road between Bella Vista Court and Lawnmeadow Drive.
- Center, Corridor or Wedge:** Wedge
- Request:** R-3, single family residential to UR-1 (CD) urban residential conditional district.
- Action:** The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:
- The units have been converted to duplex or single family units.
 - Six-foot sidewalks and eight-foot planting strips are shown along Reames Road and all internal streets.
 - A buffer has been provided between the private alley and the adjoining properties to the north. Details of the buffer are shown on the site plan.
 - Screening and landscaping have been provided to shield the view of the alleys from Reames Road.
 - The amount and location of the tree save area is indicated on the site plan.
 - Additional vegetation will be provided on the properties to the north to provide a denser buffer between the abutting single family properties and the proposed development.
 - The site plan shows 93 lots while the site development table indicates a maximum of 95 lots.
 - The petitioner has agreed to add a note to the site plan stating that the building orientation shown on the site plan will be maintained with the fronts of the buildings facing the internal streets. No flag lots will be permitted.
 - No more than 25 percent of the front building elevation will be constructed with horizontal siding.
 - The petitioner has submitted additional elevations showing other design opportunities for homes within the development.
 - The petitioner will dedicate 32-feet from the existing center line of Reames Road in order to include the planting strip and bike lane within the right-of-way.

Vote: Yeas: Howard, Johnson, Lipton, Loflin, Randolph, Rosenburgh, and Sheild
Nays: None
Absent: None

Summary of Petition

This petition proposes a development of up to 95 for sale single family detached and duplex units at a density of 6.64 units per acre. Two public street connections are provided to Reames Road as well as a private alley system accessing the garages located behind the units. A 50-foot class “A” buffer is provided along the southern and eastern boundaries of the site. A water quality and detention area is shown along Reames Road. Building elevations have also been provided.

Zoning Committee Discussion/Rationale

Tammie Keplinger reviewed the petition and noted that the outstanding site plan issues had been addressed. The site plan indicates 95 units however it shows only 93 units. The petitioner submitted additional building elevations and added a note about the two lots not shown on the plan. If the lots can be developed the building orientation shown on the site plan will be maintained with the fronts of the buildings facing the internal streets and no flag lots will be permitted. Since the public hearing the petitioner has worked with the abutting property owners to the north and has agreed to increase the density of the adjoining buffer.

Scott Putnam with CDOT indicated that the petitioner has agreed to add a small amount of right-of-way along Reames Road to include the planting strip within the right-of-way.

Ms. Keplinger continued that the *Northwest District Plan* recommend four units per acre, however the site meets the *General Development Policies* (GDP) requirements for higher density. The proposed request allows 6.6 units per acre whereas a maximum of six is recommended by the GDP. The small increase will allow an additional eight lots on the property. Staff is comfortable with this slight increase due to the unique design and innovative nature of the development.

Statement of Consistency

Upon a motion made by Commissioner Sheild and seconded by Commissioner Johnson, the Zoning Committee unanimously found this petition to be inconsistent with the *Northwest District Plan*, however consistent with the design guidelines of the GDP for higher densities, reasonable and in the public interest.

The Committee suspended the rules and asked the petitioner’s agent, John Carmichael if the neighborhood is supportive and in agreement on the buffers? Mr. Carmichael said he met with the adjacent property owner and they agreed to put hollies on her properties. He indicated that they also met with the people that filed the protest petition and they voted to support the petition.

Another Commissioner indicated that he had concerns with the design. Mr. Carmichael said that the original product for the property did not receive much support from the community. The developer was able to obtain architectural plans from Beazer homes. The homes are similar to

the Monteith subdivision in Huntersville and the elevations have been submitted. None of the homes will have more than 25 percent of horizontal siding on the front.

Vote

Upon a motion made by Commissioner Sheild and seconded by Commissioner Randolph, the Zoning Committee voted unanimously to recommend APPROVAL of this petition as modified.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.