

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-01(c)

Property Owner: National Preferred Contractors, Inc.

Petitioner: Sinacori Homes, LLC

Location: Approximately 3.5 acres on the west side of Lancaster Highway between Southcrest Lane and Winghurst Drive

Center, Corridor, or Wedge: Wedge

Request: R-3, single family residential, to R-8MF(CD), conditional multi-family residential

Summary

This petition seeks approval for 22 townhomes, with a resulting density of about 6.4 units per acre. The site is within Pineville's sphere of influence but not within the town's municipal limits or its extra-territorial jurisdiction (ETJ). Therefore, Mecklenburg County retains jurisdiction over the site. Pineville's Planning Director has provided comments on this petition.

Consistency and Conclusion

There is no adopted land use plan for this area. The proposed land use appears reasonable to the staff. This petition would be appropriate for approval upon correction of the site plan deficiencies noted below.

Existing Zoning and Land Use

There are single family subdivisions to the south and west of the petitioned site. There is a rural single family lot to the north and undeveloped land across Lancaster Highway to the east. All surrounding properties are zoned R-3, single family residential.

Rezoning History in Area

In recent years there have been several rezoning to intensify retail and residential uses at the intersection of Lancaster Highway and Providence Road West.

Public Plans and Policies

There is no publicly adopted plan addressing this site. Pineville's plans only address its ETJ and since the site is in Pineville's sphere of influence Charlotte has no adopted plan for this area. The Charlotte-Mecklenburg Planning Department uses a Residential Location and Design

Assessment to evaluate the appropriate residential density for a site. This assessment was adopted by the City of Charlotte as part of the General Development Policies (GDPs) in 2003. The GDPs and the assessment have not been adopted by Mecklenburg County. Applying that assessment to this site indicates below that up to six units per acre would be an appropriate density for this site if the residential design guidelines of the GDPs were met.

| Assessment Criteria | Density Category –6 dua |
|------------------------------------|---------------------------|
| Meeting with Staff | 1 (Yes) |
| Sewer and Water Availability | 2 (CMUD) |
| Land Use Accessibility | 1 (Low; 2 uses in ½ mile) |
| Connectivity Analysis | 2 (Medium Low) |
| Road Network Evaluation | 0 (No) |
| Design Guidelines | 4 (Yes; assumed) |
| Other Opportunities or Constraints | NA |
| Minimum Points Needed: 10 | Total Points: 10 |

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Elevations included as part of the site plan indicate two-story townhomes with two-car garages entered at the rears of the units. There is a private entry road with parallel parking on both sides.
- A 26-foot Class “C” buffer is provided, reduced in some areas to 19.5 feet by construction of a six-foot wooden privacy fence.
- Approximately 20 feet will be dedicated to NCDOT along Lancaster Highway for future widening. An eight-foot planting strip and six-foot sidewalk will run the length of the site.
- Interior trees will be planted.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT estimates that trips generated from the site will increase from 100 under the current zoning to 125 under the proposed rezoning.

Connectivity. The only opportunity for additional connectivity would be to the north. Staff is not pursuing that in this instance.

Storm Water. The Mecklenburg County Post-Construction Ordinance will apply as a minimum ordinance standard to this site.

School Information. CMS estimates that the number of school children generated from the site will be less under the proposed zoning (4) than under the existing zoning (8). Therefore, this petition has no impact on the school system.

Outstanding Issues

Land Use. There is no adopted land use plan for this area. Planning staff believes the proposed land use is appropriate for the area. (See the “Public Plans and Policies” section above.)

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

- The main entry drive needs a turnaround at the end. The proposed configuration is unworkable with parallel parking on both sides.
- The privacy fence needs to be located in the interior half of the buffer, allowing it to be screened by vegetation.
- The four-foot sidewalk exiting each unit needs to be five feet in width.
- Note #15 is inconsistent with the 28-foot width of the units. A mix of large and small maturing trees would seem to be appropriate.
- Note #12 needs to clarify that the crosswalks, both at the entry and the internal intersection, will be of a different material or texture than the other pavement.
- Large maturing street trees should be planted 40 feet on-center in the planting strip along Lancaster Highway.
- Since elevations were not submitted for the ends of the buildings fronting Lancaster Highway vegetative screening needs to be specified to soften this elevation.
- The proposed tree save area of 10% in the Development Data table needs to be deleted since this will not meet the standards of the Post Construction Ordinance (17.5%).
- The minimum rear yard needs to be changed to 50 feet in the Development Data table.
- The note on the site plan regarding right-of-way dedication conflicts with Note #6 and needs to be removed.

The Town of Pineville had these additional comments:

- There should be additional parking provided.
- The street trees along Lancaster Highway should be 35 feet on-center.
- The density may need to be reduced to make the site work.
- Elevations should be provided for the ends of the buildings.