

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2005-129

Property Owner: Alfred Allen Davis

Petitioner: Gandy Communities, Inc.

Location: Approximately 140.8 acres located northeast of the intersection of Hucks Road and Arthur Davis Road

Request: Change from R-3 and R-4 (single family residential), and I-1 (light industrial) to MX-3 Innovative (mixed-uses)

Summary

This petition seeks approval for a mix of housing types up to 975 dwelling units (approximately 325 single family dwellings) and up to 35,000 square feet of neighborhood retail.

Consistency and Conclusion

This proposal is consistent with the North Corridor Draft Environmental Impact Statement process, which designated preliminary transit station locations. The proposal is also consistent with the Transit Station Area Principles.

Upon correction of the site plan deficiencies noted below, this petition would be appropriate for approval.

Existing Zoning and Land Use

Property to the north and northeast is undeveloped land with R-3 zoning. To the east is a residential subdivision with R-4 zoning. To the south across Hucks Road are residences in R-4 zoning and undeveloped tract zoned I-2(CD) (conditional general industrial). To the west across the railroad is undeveloped land zoned light industrial and a church in the R-17MF district.

Rezoning History in Area

The site across Hucks Road was zoned I-2(CD) for a lumberyard in 1997. There have not been any other recent rezonings in the immediate vicinity.

Public Plans and Policies

The *Northeast District Plan* (1996) calls for single family residential up to four residences per acre and recognizes the industrially-zoned parcel on the site. Therefore, the multi-family and commercial segments of the proposed development are inconsistent with this adopted land use plan. However, the proposal is consistent with transit station area principles and this location has

been identified for transit station analysis through the Draft Environmental Impact Statement process. Therefore, this proposal is considered consistent with adopted plans and policies.

General Development Policies – Station Area Principles.

The majority of the site is within ½ mile of the proposed North Corridor Eastfield Road commuter rail station. While a station area plan has not yet been completed the transit station area principles look to concentrate a mix of complementary, well-integrated land uses within walking distance of transit stations.

Proposed Request Details

This petition seeks approval for a mix of housing types up to 975 dwelling units and up to 35,000 square feet of neighborhood retail. The site plan accompanying this petition contains these additional provisions:

- There are two vehicular access points from Hucks Road and four stub streets to the north and east. There is the potential for two additional crossings of the railroad to the west. A collector street with a 60-69-foot right-of-way extends the length of the site.
- There are single family residential sections on the northern and southern ends of the site with multi-family residential and retail uses at the center of the site near the proposed transit station. Maximum building height is 60 feet.
- The petitioner has agreed to potentially dedicate the right-of-way necessary for the future widening and realignment of Hucks Road. The petitioner has also agreed to several transportation improvements, including turn lanes and signalization of the Hucks Road / NC115 intersection.
- The site has less than a 5% tree canopy and a less than 5% tree save area is proposed. Total open space is proposed to be approximately 21% of the site.
- Petitioners have agreed to fund the necessary improvements to their property line for at least one railroad crossing near the transit station.

Public Infrastructure

Traffic Impact / CDOT Comments. While the proposed development is more or less traffic neutral when compared to existing zoning scenarios, CDOT had significant comments regarding the transportation details of this petition. See attached memo.

CATS. CATS will be upgrading the railroad signals at Hucks Road as part of the North Corridor commuter rail project. Any road improvements will need to be coordinated with these efforts. While CATS supports the rail crossings near the station they note that the petitioner will be responsible for the construction of these, including signalization equipment, and for coordinating that construction with CATS.

Connectivity. The site plan proposes numerous access points to abutting properties. No additional connectivity is being sought.

Storm Water. The proposed site plan indicates that the development will comply with the water quality requests made by LUESA and Storm Water Services. Additional erosion and sedimentation prevention measures will also be undertaken.

School Information. The school system estimates that enrollment will increase from 196 under existing zoning to 292 as a result of this rezoning. Those additional 96 children will add about \$2.1 in capital expenses for additional school capacity.

Outstanding Issues

Land Use. The *Northeast District Plan* (1996) calls for single family residential up to four residences per acre and recognizes the industrially-zoned parcel on the site. Therefore, the multi-family and commercial segments of the proposed development would be inconsistent with this adopted land use plan. However, the proposal is consistent with transit station area principles and this location has been identified for transit station analysis through the Draft Environmental Impact Statement review process. Therefore, this proposal is considered consistent with adopted plans and policies.

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

- The Technical Data Sheet shows a collector right-of-way of 69 feet for Residential Collector “B” but the cross-section shows only a 75-foot right-of-way. The larger cross-section is needed. Other cross-sections exist but there are no roads designated as such on the site plan. The site plan and the notes need to be consistent.
- CDOT’s transportation issues need to be resolved, including NCDOT maintenance of public streets.
- The landscape buffer along Hucks Road needs to be dimensioned to 36 feet, which is the smallest width that a six-foot berm can be accommodated within.