

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2005-150

Property Owner: Mt Holly Developers, LLC

Petitioner: Mt. Holly Developers, LLC

Location: Approximately 131.26 acres located north and east of Rhyne Road and south of Mount Holly Road.

Request: I-1, light industrial and R-3, single family residential to CC, commercial center, B-2 (CD), highway business conditional district and MX-2, mixed use district

Summary

This petition proposes to rezone approximately 131.26 acres from I-1, light industrial and R-3, single family residential to CC, commercial center, B-2 (CD), highway business conditional district and MX-2, mixed use district. The request will allow the development of 260 for-sale townhomes, 192 for-rent apartments, 336,400 square feet of retail and restaurant uses, 100-room hotel, 62,000 square feet of office uses, and 2 car dealerships totaling 100,000 square feet.

Conclusion

The commercial portion of the proposal is inconsistent with the adopted plans and policies. However due to the integration of a mixture in a master plan instead of single uses in the current I-1 zoning creates a rezoning petition worthy of consideration. The residential component on each side of I-485 meet the densities called for by the GDP. Therefore, this petition is considered appropriate for approval contingent on the resolution of all outstanding site plan issues.

Existing Zoning and Land Use

Adjacent land uses north and south of Mt. Holly Road consist of vacant property and sporadic residential homes. An industrial user, Livingstone Coating Corporation, is located directly west across Rhyne Road at the CSX railroad ROW.

Petition 03-088, located west of I-485 and north of Mt. Holly Road, is zoned NS for 130,000 square feet of retail land uses and a mix residential land uses. Directly south of Mt. Holly Road, Livingstone Coating Corporation is zoned I-1. The remaining property west of the petition is zoned R-3 and R-4.

A mix of zoning districts, located east of I-485 and north and south of Mt. Holly Road, consist of R-4, R-5, R-17MF, I-1, and I-2 zoning. The remaining property east of the petition and south of the CSX railroad ROW is zoned I-1, R-3, R-4, R-5, and R-8.

Rezoning History in Area

Petition 05-006 rezoned property from R-4 to MX-1(INNOV) for a single-family residential development located south of Tom Sadler Road. Corrective Rezoning Petition 03-074 rezoned property from R-17MF to R-5 and R-8 along Moores Chapel Road.

Public Plans and Policies

The *Mt. Holly Road Special Project Plan* (1994) and *Northwest District Plan* (1990) provide recent land use policy for this petition. West of I-485 is recommended for multi-family land uses along Moores Chapel Road and single-family land uses up to 4 DUA for the remainder of the property along Rhyme Road and I-485. East of I-485 is recommended for industrial land uses south of the CSX railroad ROW and single-family land uses for the remainder of the property along I-485.

The *General Development Policies* (2003) apply to this petition. The Regional Size Center Retail-Oriented Mixed/Multi-Use guidelines of the *GDP* apply to the western half of the petition. The request is for an anchor retail tenant, 8 screen movie theater, restaurants, smaller shop retail, 100 room hotel, office, 2 car dealerships, and 79 for-sale townhomes located between the retail and office uses. Totals equal 336,400 square feet of retail and restaurant uses, 100 room hotel, 62,000 square feet of office uses, 79 townhomes, and 2 car dealerships totaling 100,000 square feet on a total of 70.9 acres.

This portion of the petition illustrates a mix of retail, office, and residential land uses. The petition is well under the recommended center size of 600,000 square feet of retail and 150,000 square feet of office. The anchor retail tenant is the only ground floor structure exceeding 90,000 square feet. The entire petition is well connected with pedestrian and vehicular linkages to at least 1,000 existing, planned, and zoned residential units within ¼ mile from the edge of the site. The *GDP* residential density guidelines do not apply. Only 1 freestanding independent outparcel is proposed.

The residential density guidelines of the *GDP* apply to the eastern half of the petition. The request is for 181 for-sale townhomes and 192 for-rent apartments (total 373 dwelling units) on a total of 60.36 acres. The requested MX-2 zoning allows a maximum density of 8 DUA. The overall density of the site is 6.17 DUA.

Assessment Criteria	Density Category - >4 up to 6 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (Med)
Connectivity Analysis	1 (Low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Minimum Points Needed: 10	Total Points: 10

Proposed Request Details

The petition proposes 260 for-sale townhomes, 192 for-rent apartments, 336,400 square feet of retail and restaurant uses, 100-room hotel, 62,000 square feet of office uses, and 2 car dealerships totaling 100,000 square feet. The site plan indicated a pedestrian trail system from through each component and from the eastern side of I-485 to the western side. The plan shows future residential street connections from the western component to the properties to the south. The plan also has restrictions on the lighting, buffers, signs and contains architectural controls and restrictive covenants.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT comments are forthcoming.

CATS. CATS did not comment on this petition.

Connectivity. The developer has provided connections to the properties located to the south within the MX-2 component and has provided connections to public streets within the area.

Storm Water. Storm Water Services comments have been addressed.

School Information. School overcrowding is a significant issue. CMS anticipates that this development will add approximately 128 students to the three schools in this area.

<i>Schools Affected</i>	<i>Capacity Without Mobiles</i>	<i>10th Day, 2005-06 Enrollment</i>	<i>Additional Students As a result of this development</i>	<i>Total Enrollment As a result of this development</i>	<i>10th Day, 2005-06 Utilization (Without Mobiles)</i>	<i>Utilization As a result of this development (Without Mobiles)</i>	<i>Number of Mobiles</i>
PAWTUCKETT ES	208	476	86	562	229%	270%	8
COULWOOD MS	703	1194	19	1213	170%	173%	30
WEST MECKLENBURG HS	1900	1678	23	1701	88%	90%	0

Outstanding Issues

Land Use. The petition is not consistent with the adopted land use plans; however, the existing I-1 zoning located on the western half of the property could possibly yield similar retail and office square footages by right. Staff and the petitioner have discussed this issue at length. In addition, by right development is not subject to off site road improvements that are desperately needed in this area for future development. This petition creates a “sense of place” within an area of the County that does not offer a variety of daily goods and services to its residents, and soon to be future residents with the opening of I-485 in mid 2006.

Site plan. The following site plan comments are outstanding:

- Create buildings with transparent openings, ornamentation and architectural character. Create entrances that have pedestrian interest. Provide building elevations. Anchor retailers and car dealerships should increase the standard level of design to create a place of interest.
- Orient buildings to the street if the center is located on a pedestrian-oriented type street with pedestrian access. To create a human scale streetscape along Rhyne Road move buildings close to the street with parking to the rear and side. Provide pedestrian entrances to the buildings. Design the facades to compliment the residential context of the street.
- If drive through windows and services are included they must not compromise pedestrian circulation.
- The plan should include drawings that communicate the edge relationships between residential and commercial uses, particularly residential units that face surface parking lots, the rear of commercial buildings and auto dealerships.
- Storage for the auto dealerships should be at the rear of buildings. The buildings should face the street. Provide site plan indicating proposed building edges.
- The dealerships should be placed closer together to form a cluster with a vehicular connection at the rear of the properties that links all commercial uses (auto and anchor retail).
- The proposed location of the open space on private street “c” appears to have no context. It should be surrounded by retail and/or residential uses-not parking lots.
- Identify tree save opportunities in area 5. Indicate locations of proposed 15% tree save area.
- Note in the site development summary that the property is located in the watershed.
- (Screening and Landscaping) Provide a standard for the amount of landscaping that should be maintained in the setback area.
- (Screening and Landscaping) The setback area should also be a tree preservation area that is supplemented to enhance the appearance.
- (Parking/Drive-through facilities) Note #3 should be reworded to indicate that bike parking will be provided as per the ordinance.
- Create setback standards for both parking and buildings from internal private streets.
- A schematic site plan illustrating the layout of the proposed buildings and uses should be provided.
- The building setbacks along I-485 should be labeled as tree save areas.
- The note not allowing parking between proposed buildings and private streets needs to be modified to also disallow parking between buildings and public streets (note #4 under parking/drive-through facilities)