

**\*PRE-HEARING STAFF ANALYSIS\***

**Rezoning Petition No. 2008-35**

**Property Owner:** Double Oaks Development, LLC

**Petitioner:** Charlotte Mecklenburg Housing Partnership

**Location:** Approximately 10.4 acres on both sides of Statesville Avenue between Woodward Avenue and Dearborn Avenue

**Center, Corridor, or Wedge:** Corridor

**Request:** R-8, mixed residential, R-12MF(CD), conditional multi-family, and B-2, general business, to NS, neighborhood services

**Summary**

This petition seeks approval for up to 35,000 square feet of retail space vertically integrated with up to 348 multi-family residential units and 72 elderly units. Residential densities are approximately 60 units per acre. Additional areas are being conveyed to Mecklenburg County Parks and Recreation for greenway purposes.

**Consistency and Conclusion**

This petition is consistent with adopted land use plans and policies and would be appropriate for approval upon correction of the site plan deficiencies noted below.

**Existing Zoning and Land Use**

A mix of single family homes and vacant lots is located to the north in the R-8 district. Across Statesville Avenue to the east are generally undeveloped parcels in B-2 zoning. The land to the south is vacant and zoned R-8 and R-22MF. To the west of the petitioned site is a multi-family complex and an elementary school, both zoned R-22MF.

**Rezoning History in Area**

Most of the petitioned site was rezoned to R-12MF(CD) by rezoning Petition No. 2004-87. There have not been any other recent rezoning petitions in this vicinity.

**Public Plans and Policies**

Adopted Plans and Policies that affect this area include the *Statesville Avenue Corridor Area Plan* (2001) and the *Mixed Use Development and Residential Location and Design Guidelines* contained in the *General Development Policies* (GDP) (2003). The *Statesville Avenue Corridor*

*Plan* recommends multi-family development along Statesville Avenue and a Neighborhood Services District on the east side of Statesville Avenue near Woodward Avenue.

The *General Development Policies* (2003) provide location and design guidelines for residential development to ensure new development enhances the surrounding community. The table below shows that, given four points for acceptable site and building design, the proposal scores enough to allow over 17 dwelling units per acre.

Assessment Criteria	Density Category – Over 17 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (High)
Connectivity Analysis	4 (Med-high)
Road Network Evaluation	0 (No)
<b>Design Guidelines</b>	<b>4 (Yes)</b>
Other Opportunities or Constraints	1 – redevelopment and transit service
<b>Minimum Points Needed - 14</b>	<b>Total Points: 14</b>

### **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Transportation phasing allows 80 units to be constructed under the current road network.
- Access is provided by two redeveloped public streets.
- Development will adhere to the standards of the adopted Post-Construction Ordinance.
- A 20-foot class “C” buffer is provided along the north property line and buildings within 25 feet of the property line shall not exceed 50 feet in height.
- Additional right-of-way will be dedicated on several streets, including Statesville Road.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** Daily trip generation is estimated to increase from 2,200 trips under the existing zoning to 4,200 trips under the proposed zoning. A Traffic Impact Study for a larger development project that contains this petitioned site is underway and will analyze this site. CDOT has several concerns regarding access and connectivity. See their attached memo.

**CATS.** The petitioner has satisfied CATS requests for a bus shelter pad and associated sidewalk.

**Connectivity.** This proposal has adequate provisions for future connectivity.

**Storm Water.** The petitioner has agreed to comply with the adopted Post-Construction Ordinance.

**School Information.** CMS estimates that student enrollment will increase from 30 students under the existing zoning to 172 under the proposed zoning – a net increase of 142 students.

**Mecklenburg County Parks and Recreation.** MCPR wishes to note that additional land outside of the area encompassed in this rezoning will be required to connect the proposed easements to Anita Stroud Park. This approximately 200' gap exists north of the area entitled "Development Area 4" and adjacent to the proposed BMP as shown on the Schematic Plan dated 1/18/08.

## **Outstanding Issues**

**Land Use.** There are no land use issues associated with this petition. It is appropriate for approval from a land use perspective.

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

- The proposal to limit building height to 50 feet within 25 feet of the northern boundary is inadequate. The building height needs to be lower or the separation wider.
- The building envelopes and parking fields for several of the development areas are not realistic and need to be reconfigured.
- The greenway note needs to be modified to preclude placement of water quality BMPs within the greenway.
- The concerns raised by CDOT need to be satisfactorily resolved.
- Note 2.1. needs to be modified to state that outdoor dining areas will be counted for parking requirements.
- Parking requirements need to be stated as one space per 125 square feet of restaurant floor area, one space per 300 square feet of retail space, and one space per 400 square feet of office floor area.
- The "gap" identified by MCPR needs to be closed as part of the site plan.