

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-060

Property Owner: Gail E. Gale; Paul Howard Gale, III and Susan Gale; Douglas R. Kerns and Jody G. Kerns

Petitioner: Gandy Communities

Location: Approximately 21.22 acres located on the east side of Point O'Woods Drive and the west side of Northlake Centre Parkway

Center, Corridor, or Wedge: Center

Request: R-3, single family residential to CC, commercial center

Summary

This petition proposes to develop up to 320 multi-family residential units at 17 dwelling units per acre and a maximum of 50,000 square feet of office/retail.

Consistency and Conclusion

The proposed land uses are consistent with the *draft Northlake Area Plan*. Upon correction of the outstanding site plan deficiencies, this petition is appropriate for approval.

Existing Zoning and Land Use

The predominant zoning on the southeast side of Interstate 485 is non-residential consisting of mostly CC zoning. These areas are developed as the North Lake Mall and the Northcrest Center. Residential zoning and uses are located between Northlake Centre Parkway and Interstate 485 and south of W WT Harris Boulevard.

Rezoning History in Area

The most recent rezoning in the immediate area was petition 2008-024 for MLP Real Estate Acquisitions LLC. The property was rezoned from R-3 to R-17 MF (CD) for the development of up to 204 multi-family for-rent units at an overall density of 16 dwelling units per acre.

Public Plans and Policies

The *Northlake Area Plan (draft)* recommends a mixture of residential, office and/or retail and park/open space. Residential up to 17 dwelling units per acre is permitted as a single use, but may exceed 17 dwelling units per acre in vertically mixed-use developments. The plan proposes two possible development scenarios:

1. Vertically integrated mixed-use developments are preferred with office and retail limited to 70,000 square feet each and must include second floor residential. The plan further recommends 85 square feet of office or retail for every residential unit.

2. Multi-use developments may include office up to 70,000 square feet and 45,000 square feet of retail and must include office and retail uses if residential is not integrated. The plan recommends 85 square feet of office for every residential unit and 55 square feet of retail for every residential unit.

The intent of the *draft Northlake Area Plan* is to provide an integrated mixed-use development including all of the properties in the triangular area formed by Northlake Centre Parkway and Point O'Woods Drive. The current petition includes only a portion of these properties. Staff is concerned that without all properties included in the current petition, development will occur without the appropriate integration.

According to the *draft Northlake Area Plan* a freestanding single tenant building would be considered for the triangular area if the proposal is: part of a well-designed master plan for a pedestrian-oriented development; if the building is oriented toward the street; well integrated into the site; has parking in the rear; and meets the following design goals specified in the Community Design chapter of the document:

A 20' setback along Northlake Centre Parkway to reduce visual impact on street
Building orientation toward Dixon Branch and Long Creek greenways and other natural features

Distinguished ground level design from upper stories of multi-level developments

Site layout should be clustered in a village arrangement around shared amenities

Pedestrian connections should be directly accessible without creating conflicts with automobiles

Any freestanding single tenant buildings must include the following:

- parking should be in the rear
- drive-through windows and services should not compromise pedestrian circulation
- building should relate to the overall scale, height and configuration of the site

Proposed Request Details

The site plan accompanying this petition proposes a mixed-use community with up to 320 multi-family residential units at 17 dwelling units per acre and a maximum of 50,000 square feet of office/retail space. The freestanding single tenant independent retail buildings are limited to no more than one, which may be a bank, a restaurant, or other retail or office use with drive-through facilities.

The buildings are limited to a maximum of five (5) stories in height with four-sided architecture that reflects the existing built environment in the Northlake area. The buildings will orient toward the public streets or Dixon Branch Creek. Outdoor dining, seating areas, and courtyards may be provided.

The site plan notes a minimum 10% tree save area for the multi-family component. A note on the plan allows the amenity area for the multi-family to be exchanged with a multi-family building. It also indicates that the amenity site will include a pool and clubhouse or cabana as well as benches and landscaping.

Along Northlake Centre Parkway, eight-foot sidewalks will be provided and planting strips will be in accordance with the Charlotte Tree Ordinance. Internal private streets will have five-foot sidewalk

and 6-foot planting strips. Conceptual public right-of-way connecting Northlake Centre Parkway to the adjacent commercial development will have six-foot sidewalks and six-foot planting strips on both sides.

Public Infrastructure

Traffic Impact / CDOT Comments. Consistency with Transportation Action Plan (TAP): The two goals of the TAP that most directly affected the staff's review of this petition define the integration of land use and transportation, and the provision of transportation choices.

Goal 1 of the TAP relies on the Centers, Corridors, and Wedges land use strategy to be implemented. This project site is located in a Center and does appear to support the Centers, Corridors and Wedges land use strategy.

Goal 2 of the TAP describes various connectivity and design features that are important for motorists, pedestrians, and bicyclists. Specific comments are identified below that need to be addressed for CDOT's support of the petition and to bring the site plan into compliance with the TAP and best practices for multimodal transportation.

Vehicle Trip Generation

This site could generate approximately 700 trips per day as currently zoned. Due to a reduced development scale included in the revised site plan, under the proposed zoning the site could generate approximately 6,500 trips per day. This will have a significant impact on the surrounding thoroughfare system. A traffic study has been submitted to CDOT and is currently in review. CDOT has the following specific comments that are critical to their support of the rezoning petition:

Upon extension of the proposed 63-foot right-of-way/street located on the south side of the site to Northlake Centre Parkway, the existing portion of Point O' Woods Drive between Northlake Centre Parkway and the southern stub to the Northcrest Shopping Center needs to be removed and a petition submitted to the City for abandonment. (*Previous review comment*)

A northbound left-turn lane must be constructed on Northlake Centre Parkway at the middle driveway to Northlake Mall to allow for U-turns into this site. The length (minimum 150 feet) will be determined in the traffic study. (*Previous review comment*)

A left-turn lane must also be constructed on northbound Northlake Centre Parkway at the northern driveway to Northlake Mall to accommodate the planned extension of main street through the development across the Faison parcel (undevelopable) to Northlake Centre Parkway. The traffic using the left-turn lane would be directly attributable to the development. (*Previous review comment*)

Once the site's traffic impacts have been identified, the design of any affected intersections will need to be determined through the Six-Step Process identified in the Urban Street Design Guidelines. This process can occur at any time before subdivision plan submittal. It is recommended that the developer and the developer's consultant(s) meet with CDOT staff early in the rezoning process to discuss/become familiar with USDG's Six-Step Process. Additional comments will follow our review of the TIS.

CATS. CATS did not comment on this petition.

Connectivity. The site plan associated with this petition shows future road connections to the properties to the east, west and south.

Storm Water. Storm Water Service issues have been addressed.

School Information. The development allowed under existing zoning would generate 47 students, while the development allowed under the proposed zoning with for-rent units will produce 194 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 147 students. See the attached memo for additional information. Also attached is a memo indicating a lesser impact on the school system if the units are for sale.

Parks and Recreation. MCPR requests dedication of the 100-year floodplain and 100-foot SWIM Buffer to the County for greenway and floodplain/watershed protection purposes. The site plan shows a general location of the proposed street network. Dedication of the floodplain appears to also be able to provide a greenway connection to one of the interior public streets, but the specifics are not shown at this time. MCPR requests the condition that there will be at least one (1) neighborhood connection shown as part of the dedication, which should be at least 40-feet in width.

Solid Waste. Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal, and concrete generated during demolition and construction activities. Additionally, the plan should specify that all land clearing and/or inert debris shall be taken to a properly permitted facility. The Plan shall also state that monthly reporting of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program. The report shall include the identification and location of all facilities receiving disposed or recycled materials.

Outstanding Issues

Land Use. The proposed land uses are consistent with the *draft Northlake Area Plan*. The associated site plan meets the recommendations of the plan as indicated below and is appropriate for approval from a land use perspective.

Site plan. The following site plan issues are outstanding:

The maximum building height in feet should be shown in addition to the number of stories. The non-residential building should be limited to 40-feet in height unless additional side yards are provided where adjoining residential uses.

The floor area ratio should be noted on the plan and must be less than 1.0.

Detention should not be located within the buffer areas.

The office/retail buildings should not have expanses of blank walls exceeding 20-feet.

The note indicating that the Class "C" buffer to the rear of the property may be eliminated if the property owner dedicates the land to Parks and Recreation for greenway purposes [Section 12.302(13)] should be on the plan

A pedestrian connection should be provided from residential building #9 to the adjacent property fronting on Northlake Centre Parkway.

CDOT, Parks, and Recreation and Solid Waste comments need to be addressed.