

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-73

Property Owner: Double Oaks Development, Inc.

Petitioner: Charlotte Mecklenburg Housing Partnership

Location: Approximately 64.5 acres on the west side of Statesville Road between Newland Road and Woodward Avenue

Center, Corridor, or Wedge: Corridor

Request: NS (neighborhood services), R-8 (mixed residential), R-22MF (conventional multi-family residential), I-2 (general industrial) to NS (neighborhood services), NS site plan amendment, and UR-2(CD) (conditional urban residential)

Summary

This petition includes eight development areas, providing for a total of up to 35,000 square feet of retail and office uses and up to 1082 residential units. The residential density averages about 17 units per acre. Additionally, a childcare center is proposed.

Consistency and Conclusion

This petition is consistent with *Statesville Road Corridor Area Plan* and the *Central District Plan*. Upon correction of the site plan deficiencies noted below this petition would be appropriate for approval.

Existing Zoning and Land Use

To the south is a mixed residential neighborhood and an elementary school in residential districts. To the west is I-77, a public park, and a religious facility zoned INST(CD). To the north is multi-family residential in the R-22MF zoning district. Across Statesville Road to the east is a mix of commercial and residential types and zoning districts.

Rezoning History in Area

A portion of the petitioned site was rezoned earlier in 2008 to allow 35,000 square feet of retail/office space and up to 420 residential units. There have not been any other recent rezonings.

Public Plans and Policies

The *Statesville Avenue Corridor Area Plan (2001)* and the *Central District Plan (1993)* are the adopted plans applicable to this petition. The Central District Plan covers the area zoned R-22MF between Statesville Avenue and I-77.

- The Central District Plan recommends redevelopment of the Double Oaks multi-family property for new housing.
- The Statesville Avenue plan recommends the following land uses:
 - Open Space at the corner of Woodward and Statesville.
 - Mixed Use along Statesville Avenue on the east side; Multi-Family on the west side, density is not specified.

The GDP will apply to this petition for residential and mixed use development.

Assessment Criteria	Density Category – up to 17 dua
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	2 (High)
Connectivity Analysis	4 (Med-low)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Points needed for up to 17 dua - 13	Total Points: 13

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

The non-residential development is located in Development Areas 2 & 3, fronting on Statesville Road at Woodward Avenue.

Tree save areas totaling 10% of the site are proposed.

Development will comply with the Post-Construction Controls Ordinance.

A buffer is proposed along the northern boundary of Development Area 1

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT has concerns about the street cross-section in single family detached areas of the development. See attached memo for detailed comments. The Traffic Impact Study (TIS) was still under review as of the preparation of this report. More comments may be forthcoming upon completion of the TIS.

CATS. CATS did not comment on this petition.

Connectivity. This proposal provides adequate connectivity to surrounding properties and adequate circulation within the site.

Mecklenburg County Parks and Recreation Department.

While MCPR appreciates the petitioner's offer of dedication of several easements on the site, they have significant concerns with the location of BMPs (water quality ponds) in relation to the parks and greenways on and near the site. See attached memo for this and other detailed comments.

Storm Water. This development will be required to comply with the Post-Construction Controls Ordinance.

School Information. There is a decline in the projected number of students from 686 to 457 as a result of this rezoning proposal.

Outstanding Issues

Land Use. The petition is consistent with the adopted land use plans and the GDP Residential Location Criteria for an increase in density to 17 du. The proposal meets and/or exceeds the goals and recommendations outlined in the Central District Plan and the Statesville Avenue Corridor Area Plan to create a pedestrian oriented mixed-income and mixed-use community by incorporating open space, a variety of housing types and retail in an organized pattern with walkable block lengths.

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

Note 4.3 needs to reflect the fact that the proposed buffer is not a required buffer.

All notes permitting all accessory uses in the NS district need to be modified to exclude drive-thru windows in this urban mixed-use development.

The notes referring to accessory uses permitted in the UR-2 district need to list those uses.

The commitment to sidewalks and planting strips on interior public streets needs to be extended to include private streets. Commitments to street trees are needed for all interior streets.

The note on sheet SP101 that refers to "best efforts" to save trees along Double Oaks Road needs to be modified. Either the alterations to Double Oaks Road need to be asymmetrical, allowing the trees on one side to remain undisturbed, or the note needs to commit to a tree preservation plan that will be undertaken and executed during the construction process and be approved by the City's Urban Forestry personnel.

Approximately 70% the proposed tree save areas consist of the trees along Double Oaks Road, where "best efforts" will be made to preserve the existing trees. These areas cannot be considered commitments to saving trees.

A note needs to be added that the BMP on Development Area 7A will be configured to maximize preservation of the existing trees.

The "potential civic use" noted on sheet SP102 needs to be added to the permitted uses on sheet SP101 and sheet T101.