

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

### **Rezoning Petition No. 2006-138**

**Property Owner:** Nathaniel Means

**Petitioner:** Nathaniel Means

**Location:** Approximately .70 acres located northwest of the intersection of Freedom Drive and Thrift Road

**Request:** I-2, general industrial to I-1 (CD), light industrial conditional district

### **Summary**

This petition proposes to rezone approximately .70 acres for the development of an automobile sales lot.

### **Consistency and Conclusion**

The subject property is located within the Bryant Park Small Area Plan boundaries. This area plan is currently underway and a draft document is expected in late winter 2007. For this reason, staff is recommending that this petition be deferred until a draft document is available.

Although the Central District Plan shows the property as industrial it is located within a ½-mile radius of a potential transit station on the CATS West Transit Corridor. The Transit Station Area Principles encourage a mixture of complementary transit-supportive uses and increased land use intensity. Therefore under the current plans, it would not be considered appropriate for approval.

### **Existing Zoning and Land Use**

The properties located to the north of the petitioned sit across Thrift Road are zoned MUDD (CD) while the properties to the east and west are zoned I-2. The remaining properties to the south are zoned I-1.

### **Rezoning History in Area**

Petition 2006-054 rezoned 21 acres located north of the intersection of Freedom Drive and Thrift Road from I-2, general industrial to MUDD (CD). The petition was approved on June 19, 2006 and allows the development of 500 dwelling units and 20,000 square feet of office.

In 2002 LandCraft Properties rezoned approximately 25 acres to create Lela Court which is an urban-style residential community consisting of detached single-family residences and town home condominiums. The property was originally zoned R-8 and I-1, which allow eight single-family dwelling units per acre and light industrial use, respectively.

## **Public Plans and Policies**

***Bryant Park Area Plan (underway)***. The subject is located within the study area of the Bryant Park Area Plan. This is an area where a number of large redevelopment projects are underway, and has been proposed for innovative financing techniques for major infrastructure improvements. The Bryant Park study will consider changes to proposed land uses that would support larger neighborhood revitalization.

***Central District Plan (1993)***. This plan shows the subject property as Industrial.

***Transit***. The subject is within a ½-mile radius of a potential transit station on the CATS West Transit Corridor, to be located on West Morehead Street at Summit Avenue. The City's *Transit Station Area Principles* (2001), which are part of the *General Development Policies*, would therefore apply to the site. The Transit Station Area Principles encourage a mixture of complementary transit-supportive uses and increased land use intensity.

## **Proposed Request Details**

The site plan associated with this petition shows a vehicle sales area but does not list use restrictions. An existing one-story building is to remain on site; however its use is not noted. A screening fence is shown along the eastern property line. The transitional setback is shown along Thrift Road.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments**. This site could generate approximately 50 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 200 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The Charlotte Department of Transportation is responsible for the review and approval of driveway connections in the City. Please revise note 6 accordingly.
- Note 8 incorrectly refers to “transitional” rather than “proposed” right-of-way and should be revised accordingly. A reference to “transitional” applies to the transitional setback which is area between the existing setback and the proposed setback measured from the existing and proposed rights-of-way, respectively.
- Thrift Road is a minor thoroughfare requiring a minimum of 70 feet of right-of-way, measuring 35 feet from the centerline of the roadway. Note 8 indicates the location of the proposed right-of-way on the site. We request that the petitioner/developer convey right-of-way in fee simple to meet this minimum requirement.

- All required parking needs to be removed from the existing and transitional setback areas. Parking that is in addition to the required parking can only be located in the transitional setback on an interim basis (§12.103 (2), Zoning Ordinance).
- A Type II driveway with a minimum width of 26 feet is required to provide access to this site. The driveway type and width need to be labeled on the site plan. These items will be reviewed during the building/driveway permit process.

**CATS.** CATS did not have comments on this petition.

**Storm Water.** Storm Water Services indicates that no additional notes are needed at this time.

**School Information.** This petition will not affect the school system.

### **Outstanding Issues**

**Land Use.** The proposed rezoning is consistent with the mapped use in the *Central District Plan* only to the extent that automobile sales are permitted in some Industrial zones. However, it is not consistent with ongoing planning activities related to the West Transit Corridor, nor with the *GDP Transit Station Area Principles*. It also is not compatible with the residential development approved on the property immediately northeast across Thrift Road.

**Site plan.** The following site plan issues are outstanding.

- All CDOT issues should be addressed.
- Parking between the building and the street should be eliminated.