

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-40

Property Owner:	multiple Lichten-Toringdon LLCs; Toringdon Property Owners Association
Petitioner:	multiple Lichten-Toringdon LLCs; Toringdon Property Owners Association
Location:	Approximately 36.6 acres in the northeast quadrant of the Johnston Road (US 521) / I-485 interchange
Center, Corridor, or Wedge:	Center
Request:	CC, commercial center, site plan amendment

Summary

This petition seeks to increase the allowed retail square footage in this phase from 5,762 to 8,200, a net increase of 2,438 square feet. It also proposes to increase the number of residential units from 140 to 260.

Consistency and Conclusion

The proposed land uses are the same as those already approved for the site. The increases in intensity are supportable upon correction of the site plan deficiencies noted below.

Existing Zoning and Land Use

The petitioned site is currently under development. There is an office development to the west and a retail shopping center to the north, both in the commercial center zoning district. There is a school to the northeast in R-3 zoning and a communications tower east of the future Community House Road right-of-way, also in R-3 zoning.

Rezoning History in Area

This site was rezoned to CC in 1999 and a site plan amendment approved in 2003. The area west of Johnston Road was rezoned for a mixed-use development in 2002.

Public Plans and Policies

The *South District Plan* (1993) as amended shows the property as mixed use multi-family / office / commercial by virtue of prior rezonings.

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- The residential component has been increased from 140 units to 260 units. The units fronting North Community House Road are four stories over parking, resulting in a maximum height of 50 feet above the sidewalk. The other residential building fronts on an internal street and is a maximum of 70 feet in height. A parking deck of 390 spaces serves the residential.
- The proposed increase in retail area is at ground level and wraps a parking deck. It orients to an internal street.
- Street trees are provided in grates on internal private streets.
- An alternate design breaks the residential into two buildings but with the same number of units.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT has determined that the reduction in retail square footage means the proposal will not trigger the need for a revised Traffic Impact Study. CDOT has no remaining issues with this petition.

CATS. CATS had no comments on this petition.

Connectivity. This site provides the needed connectivity.

Storm Water. Storm Water Services has requested that wetlands contact information be added to the site plan. The site plan appears to commit to compliance with the Post Construction Controls Ordinance but Storm Water Services is seeking clarification of the notes.

School Information. A revised analysis will be available for the public hearing.

Outstanding Issues

Land Use. The proposed development is consistent with the *South District Plan* as amended by previous rezonings. As such, the land use proposed is appropriate for approval.

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

- There is insufficient space between the curb and the building in front of “Retail 2”. Either the parallel parking needs to be removed or the building façade recessed farther.
- Although Cross-section BB details a six-foot planting strip along the extension of Endhaven Lane, the site plan indicates tree grates. An eight-foot planting strip is needed on both sides of this entry street along with a minimum six-foot sidewalk. The same treatment is needed on the street west of the residential buildings, continuing out to North Community House Road.