

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-15

Property Owner: Andrew F. Young

Petitioner: Brookchase Properties

Location: Approximately 3.9 acres located on the southwest corner of Ballantyne Commons Parkway and Williams Pond Lane.

Request: Change from R-3 (single family residential) to O-2(CD) (conditional office district)

Summary

This petition seeks approval for an office development of up to 45,000 square feet, of which a maximum of 25,000 may be for medical office uses. This petition was originally denied by a vote of the City Council but was resubmitted requesting a more intense office district, thereby avoiding “the two-year rule”. This petition provides the staff-requested buffer, water quality improvements, and additional sidewalk that were missing from the original petition.

Consistency and Conclusion

While this petition is inconsistent with adopted land use plans that call for this site to be developed with residential uses, the scale of the office and the abutting institutional use make it appropriate for a neighborhood office development. Upon correction of the site plan deficiencies noted below, it would be reasonable and in the public interest to approve the petition.

Existing Zoning and Land Use

There is a private school to the southwest of the site in R-3 zoning. There are single family homes to the southeast across Williams Pond Lane in R-3 zoning. To the north across Ballantyne Commons Parkway is a vacant parcel in R-3 zoning and a partially constructed multi-family development in R-12MF(CD) zoning.

Rezoning History in Area

There was a rezoning from single family residential to office at the corner of Ballantyne Commons Parkway and Rea Road in 2002. The multi-family residential site across Ballantyne Commons Parkway from this site was rezoned in 1996. A rezoning request from single family residential to office at the corner of Rea Road and Williams Pond Lane was approved in 2005.

Public Plans and Policies

The *South District Plan* (1993) land use map shows the subject property as single-family residential.

Proposed Request Details

This petition seeks approval for an office development of up to 45,000 square feet, of which a maximum of 25,000 may be for medical office uses. The site plan accompanying this petition contains these additional provisions:

- A modified Class “C” buffer reduced in width to 19.5 feet is provided along the southern and western edges of the property. It is supplemented with a six-foot wooden fence.
- Banks, barber and beauty shops, and hotels/motels are prohibited uses.
- Vehicular access consists of one driveway from Ballantyne Commons Parkway and one driveway from Williams Pond Lane.
- Buildings may not exceed one story in height along Williams Pond lane or the southwest boundary of the site. Along Ballantyne Commons Parkway and the northeastern boundary buildings may be one or two stories in height, not to exceed 40 feet.
- A tree save area is located on the Ballantyne Commons Parkway frontage.
- Sidewalks abutting buildings will be seven feet in width, provided a minimum three-foot planting strip can be maintained between the sidewalk and the building. All sidewalks will be a minimum five feet in width.

Public Infrastructure

Traffic Impact / CDOT Comments. This site would generate approximately 105 daily trips under the existing zoning and about 1000 trips under the proposed zoning. This will have a minor impact on the surrounding thoroughfare system. CDOT’s concerns have all been addressed.

CATS. The petitioner has complied with CATS request to extend sidewalk along Williams Pond Lane to connect to the sidewalk along Ballantyne Commons Parkway.

Connectivity. There are no opportunities for additional connectivity from this site.

Storm Water. Storm Water Services is seeking water quality improvements. The petitioner has partially satisfied those requests. See attached memo from Storm Water Services for detailed comments.

School Information. This non-residential petition will not impact the school system.

Outstanding Issues

Land Use. While the proposed development is not consistent with the mapped use of the *South District Plan*, which calls for residential uses, the adjacent private school provides some buffer. The site’s size and its orientation to a busy thoroughfare does not make it conducive to single-family development or use. The office use serves as a transition from more intense commercial uses north of Ballantyne Commons Parkway to the adjoining residential. Although the plan shows single-family residential at this location, the site circumstances make development for office use the best viable possibility, provided that the site design is sensitive to its residential surroundings.

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

- The note for on-site lighting should specify that lights be “fully shielded.”
- The remaining water quality issues must be resolved.