

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

### **Rezoning Petition No. 2006-43**

**Property Owner:** Cambridge-Eastfield, LLC

**Petitioner:** Cambridge-Eastfield, LLC

**Location:** Approximately 13.7 acres located east of Prosperity Church Road and south of Eastfield Road.

**Request:** NS, neighborhood services to NS S.P.A., neighborhood services, site plan amendment.

#### **Summary**

The proposal is to rezone approximately 13.7 acres located east of Prosperity Church Road and south of Eastfield Road from NS to NS Site Plan Amendment to allow for an additional 23,5420 square feet of retail and office floor area, resulting in a total of 105,000 square feet should this rezoning be approved.

#### **Consistency and Conclusion**

The proposed petition is consistent with the Northeast District Plan, which was amended by a rezoning petition in 2002 to allow for a mixture of uses consisting of townhomes and single family residential units, 5,000 square feet of office, a daycare, and 79,000 square feet of retail. The previous rezoning petition approved on this site, 2002-89, amended the Northeast District Plan to allow a neighborhood size mixed use center at this location. Neighborhood mixed use centers are defined as containing up to 100,000 square feet of retail and 30,000 square feet of office. The site meets a majority of the General Development Guidelines and does qualify for an increase in the maximum center size. Therefore, upon resolution of outstanding site plan issues, this petition is appropriate for approval.

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

The subject property is zoned NS and developed with a shopping center. Properties east and south of the petitioned site are zoned a variety of R-3, R-4 and R-9 PUD, INST(CD), MX-1, MX-2 and NS. Existing land uses include single-family subdivisions, townhomes, a religious facility and various vacant lots. Across Prosperity Church Road is R-3, R-8MF(CD) and MX-1, developed with a large acreage single family home and other single family subdivisions. Across Eastfield Road, Huntersville has zoned the area to allow a base density of 2.5 homes per acre, with increases for open space over 15 percent of the site. Land uses consist of a single family home, an undeveloped tract, and a church at the northeast end of the frontage. Pending petition 2006-32 proposes to rezone approximately 6.77 acre from R-3 to NS to accommodate a mixed-use development with 18 live work units and 33,000 square feet of retail uses. The petition is inconsistent with the Northeast District Plan and is not considered appropriate for approval. A decision is scheduled for April 2006.

### **Rezoning History in Area**

The subject property was included in approximately 58 acres located on the southeast corner of Eastfield Road and Prosperity Church Road that were rezoned per Petition 2002-89 from R-3 to NS and MX-2 to allow 5,000 square feet of office space, a retail component of 79,000 square feet, a day care for up to 200 children and residential components of 145 townhomes and 60 single family detached homes. Petition 2005-09 rezoned 1.40 acres located on the southeast side of Eastfield Road, south of Arbor Creek Drive from R-3 to INST(CD) to allow development of a 7,200 square foot child care center for up to 120 children. Petition 2004-140 rezoned approximately 12.6 acres located on the southeast side of Eastfield Road, between Rocky Ford Club Drive and Arbor Creek Drive from R-3 to MX-2 to allow 46 single family residential dwelling units. Petition 2004-73 rezoned approximately 1.5 acres located west of Rocky Ford Club Drive on both sides of Arbor Creek Drive from MX-2 to NS to allow twenty-nine live/work units. Petition 2004-73 rezoned approximately 36.2 acres located east of Prosperity Church Road and southwest of Fairvista Drive to MX-1 Innovative to allow for 170 single family residential lots.

### **Public Plans and Policies**

**Northeast District Plan (1996).** The current land use policy for this area is the Northeast District Plan. The plan originally recommended single family land uses, up to 4 dwelling units per acre. That recommendation was amended by rezoning petition 2002-89 to allow for a mixture of uses consisting of townhomes and single family residential units (at an overall density of 3.5 units per acre), 5,000 square feet of office, a daycare, and 79,000 square feet of retail.

**General Development Policies (2003):** The retail design guidelines outlined in the General Development Policies apply. Said guidelines specify that Neighborhood-Size Centers may devote a maximum of 100,000 square feet to retail and a maximum of 30,000 square feet devoted to office uses that are well integrated with the retail and other uses. The general design guidelines are intended to ensure that new development is designed to encourage pedestrian activity, reduce vehicle trips, encourage transit and promote long-term economic vitality. The maximum ground floor square footage of 50,000 square feet for a single retail use may be increased to 60,000 square feet and the maximum center size may be adjusted to 110,000 square feet if the site plan addresses substantially the general design guidelines that pertain to transportation/connectivity, site and building design, respect of the natural environment and placement and design of freestanding single tenant buildings.

### **Proposed Request Details**

The proposed petition seeks to rezone approximately 13.7 acres located east of Prosperity Church Road and south of Eastfield Road from NS to NS Site Plan Amendment to allow for an additional 23,542 square feet of retail and office floor area. This will result in total of 105,000 square feet should this rezoning be approved. The plan continues the established street network within the development. The site is restricted from use as a gas station or any restaurant with a drive-thru service. Retail uses may be located within office buildings on the site, as well as within the retail area, in order to further the mixed use nature of the development. Proposed uses will have landscaping, signage and architectural style that is consistent with the overall development. All buildings will be oriented toward internal or external streets and bicycle parking will provided on site.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** This site could generate approximately 6,000 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 7,200 trips per day. This petition should have no additional traffic impact on the surrounding thoroughfare system because the transportation commitments made in rezoning petition 2002-89 assumed a larger amount of development than what was approved. This petition seeks to increase the approved development rights to an amount analyzed in the traffic study prepared for petition 2002-89. Appropriate transportation improvements have been built or committed to by the petitioner. CDOT has the following specific comments that are critical to CDOT's support of the rezoning petition:

- Include all transportation commitments from Petition 2002-89 on this plan.

**CATS.** Currently, there is no direct bus service is provided to the petitioned site.

**Connectivity.** Access to the site will be provided by connections to Prosperity Church Road, Eastfield Road and Arbor Creek Drive, as well as numerous connections to the internal streets within the development.

**Storm Water.** No significant downstream impacts due to drainage are foreseen due to the rezoning of this parcel.

**School Information.** The proposed nonresidential uses will have no impact on the school system.

## **Outstanding Issues**

**Land Use.** The proposed petition is consistent with the Northeast District Plan, was amended by a rezoning petition in 2002 to allow for a mixture of uses consisting of townhomes and single family residential units, 5,000 square feet of office, a daycare, and 79,000 square feet of retail. In addition, the site plan specified an area for future development subject to rezoning but did not specify uses or sizes

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

- Add note that buildings on Parcel 1, Building Area D (Parcel 4) and Building Area E will front on Arbor Creek Drive, with operable front doors that orient to the street.
- Address CDOT comments.