

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

### **Rezoning Petition No. 2007-127**

**Property Owner:** Mary B. Killian, Jane Straughn, Daniel Walters

**Petitioner:** Charlex Development Corp., LLC

**Location:** Approximately 1.2 acres on the southwest corner of Park Road and Drexel Place

**Center, Corridor, Or Wedge** Center

**Request:** R-4, single family residential, R-43MF, multi-family residential, and O-2, office, to MUDD(CD), conditional mixed-use development district

### **Summary**

This petition seeks approval for 9,900 square feet of office/commercial uses and up to 25 residential units in a vertically integrated mixed-use project. The residential density would be 20.8 units per acre.

### **Consistency and Conclusion**

This request is consistent with the *Central District Plan* (1993) and the *Park Road Corridor Plan* (1992), except for the single family residential lot. Adopted plans call for continued single family residential use of that lot. However, the site plan uses the lot to transition to the remainder of the neighborhood, thereby providing a “soft” edge to the neighborhood. Upon resolution of outstanding site plan issues, this petition is considered appropriate for approval.

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

Across Drexel Place to the north is an office use zoned O-2 zoning. Across Park Road to the east is Park Road Shopping Center and additional retail space zoned B-1. To the south is a gas station/convenience store zoned B-1(CD). West of the site is a multi-family residential development and a single family residential neighborhood.

### **Rezoning History in Area**

This site (minus the single family residential lot) was rezoned to MUDD(CD) in 1999 but that rezoning was overturned in court during the challenges to Charlotte’s legislative conditional rezoning process. Another rezoning at the corner of Heather Lane and Park Road was withdrawn in 1995.

## **Public Plans and Policies**

***Central District Plan (1993).*** *The Central District Plan (1993)* provides the current land use policy for this area and recommends a mix of “composite” land uses for the parcels that front Park Road, and single family residential use at a density of four dwelling units per acre for the parcel that currently has a single family residence on it.

***Park Road Corridor Plan (1992).*** *The Park Road Corridor Plan (1992)* was incorporated into the 1993 *Central District Plan* and recommends office land uses for all parcels except the one with a residential use, which it recognizes as appropriate for single family residential land uses. In June of 2004, the Freedom Park Neighborhood Association requested in writing that their support of the recommendations from the *Park Road Corridor Plan* be included in the *Central District Plan* file.

## **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- The building will be set back 16 feet from the curb on Park Road and 14 feet from the curb along Drexel Place.
- The building is limited to four stories in height.
- Residential units are all for sale condominium units.
- Restaurants are not allowed uses in the building.
- The developers have agreed to undertake water quality and quantity improvements.
- Petitioners have agreed to dedicate and convey right-of-way up to 50 feet from the centerline of Park Road.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** A proposed vehicular cross-access needs to be shown being constructed that connects to the parcel south of this site, not just an easement.

**CATS.** CATS is seeking a bus waiting pad near the intersection of Park Road and Drexel Place. Local bus service is available on both Park Road and Woodlawn Avenue.

**Connectivity.** The potential for a future connection to Woodlawn Avenue is provided for on the site plan.

**Storm Water.** The petitioner has satisfied Storm Water Services’ request for water quality and quantity improvements.

**School Information.** The school system's analysis has determined that there will be no impact to the school system from this development. It should generate the same number of students as the existing zoning.

### **Outstanding Issues**

**Land Use.** The proposal is consistent with adopted plans and policies except for the existing single family residential lot. Adopted plans call for continued residential use of that lot. However, the site plan uses that lot to transition to the remainder of the neighborhood thereby providing a "soft" edge to the neighborhood. Also, without the lot, the proposed project is irregularly shaped and impacts the single family home from two sides. Staff supports the proposal even with this land use inconsistency.

### **Site plan.**

The site plan accompanying this petition contains the following deficiencies:

- Total tree save areas need to be shown and calculated.
- The parking space in the southwest corner of the site can't be counted as parking and be a future dumpster/recycling site.
- The petitioner has agreed to correct the above site plan deficiencies and staff is awaiting a revised site plan that incorporates those changes.
- A proposed vehicular cross-access needs to be shown being constructed that connects to the parcel south of this site, not just an easement.
- A note needs to be added that the bus waiting pad requested by CATS will be constructed by the developer.