

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007 - 131

Property Owner: Leon Shanklin

Petitioner: Leon Shanklin

Location: Approximately 0.97 acres located on the northeast corner of South Tryon Street and East Peterson Drive.

Center, Corridor, or Wedge: Corridor

Request: R-8, single-family to MUDD(CD), mixed-use development district conditional district

Summary

This request would allow the development of a 10,000 square foot mixed use building with up to 8,500 square feet of office/residential and a 1,500 square foot catering use.

Consistency and Conclusion

The requested mixed use development is not consistent with the *Central District Plan*, which specifies residential use on this site. However, once adopted, the recommendations in the draft *Scaleybark Station Area Plan* will update the *Central District Plan* recommendations, possibly to include office use designed in a way to be compatible with adjoining single-family residential. The proposed request also allows a small catering component, which staff feels would be an appropriate mixed use. Therefore, this request could be considered appropriate for approval. There are no outstanding site plan issues.

Existing Zoning and Land Use

The surrounding properties are zoned R-8 and R-5 and are occupied by residential dwellings.

Rezoning History in Area

There have been no recent rezonings in the immediate vicinity.

Public Plans and Policies

Scaleybark Transit Station Area Plan (draft form). This plan is in preliminary draft form. After the draft is finalized, Planning Staff will hold a community meeting to review the draft plan recommendations. Staff will initiate the plan approval process after the community meeting. The subject property is recommended in the draft plan as appropriate for residential or office uses. The parcel is not within ½ mile of the Scaleybark transit station.

Central District Plan (adopted 1993). This plan shows a portion of the subject property as appropriate for single family residential uses with a maximum of 8 dwelling units to the acre. Until adoption of the *Scaleybark Transit Station Area Plan*, the *Central District Plan* provides adopted land use policy for this site.

Proposed Request Details

This request would allow the development of a 10,000 square foot mixed use building with up to 8,500 square feet of office/residential and a 1,500 square foot catering use. The site plan also includes the following:

- # The approximate building height will be 24-feet.
- # The petitioner will meet the future setbacks from South Tryon Street and Peterson Drive as proposed in the draft *Scaleybark Transit Station Area Plan*.
- # The petitioner will install 8-foot wide sidewalks and 8-foot wide planting strips and install an 8-foot wide pedestrian zone along both South Tryon Street and Peterson Drive.
- # The petitioner will install a 6-foot high screening fence along the eastern property line.
- # All site lighting will be fully shielded and no wall “pak” type lighting will be allowed.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT notes that this site could generate approximately 60 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 70 trips per day. This will have a minor impact on the surrounding thoroughfare system.

CATS. CATS had no comments regarding this request.

Connectivity. Connectivity is not an issue.

Storm Water. Storm Water Services notes that downstream complaints consist of flooding. This site is located within the Peterson Storm Drainage Improvement Project and drains to a stream listed as impaired by the North Carolina Department of Water Quality. No additional requirements are needed at this time.

School Information. The school planning staff did not have comments on this request.

Outstanding Issues

Land Use. The requested rezoning is inconsistent with the *Central District Plan*, which specifies residential use. However, once adopted, the recommendations in the draft *Scaleybark Station Area Plan* will update the *Central District Plan* recommendations, possibly to include office uses designed in a way to be compatible with adjoining single-family residential. The proposed site plan as presently submitted also includes a small component for a catering use which staff feels would be an appropriate mixed use.

Site plan. There are no outstanding site plan issues.