

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

### **Rezoning Petition No. 2007-156**

**Property Owner:** Crescent Resources, LLC

**Petitioner:** Crescent Resources, LLC

**Location:** Approximately 7.6 acres on the west side of Carnegie Boulevard, west of Piedmont Row Drive

**Center, Corridor, or Wedge:** Center

**Request:** MUDD-O, site plan amendment; mixed-use development district with optional provisions

### **Summary**

This petition seeks to modify an existing site plan to substitute retail and office space for the approved residential units. This represents a change from the previous approval under rezoning case 2004-142 of an additional 250,000 square feet of office and 35,000 square feet of retail, with a decrease of 283 dwelling units. Specifically, up to 35,000 square feet of retail and 275,000 square feet of office are proposed. A parking deck is also part of the development.

### **Consistency and Conclusion**

Staff believes that as currently configured this petition is not consistent with the intent of the *South Park Area Plan* (2000). The increased intensity is a concern and also creates site plan issues such as building height. Staff is not able to support this petition as currently proposed.

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

A portion of the approved rezoning has been completed on the adjoining parcel to the southwest, the Piedmont Town Center. Other surrounding properties are office buildings built between the 1950s and 1999. At its western boundary, the site abuts established single-family homes in R-3 zoning.

### **Rezoning History in Area**

There have been numerous rezonings for increased intensity in the South Park area. This site was rezoned from O-1 to MUDD-O in 2000. That site plan was amended and expanded in 2004.

## **Public Plans and Policies**

The *South Park Small Area Plan* (2000) shows the subject property as Office or Office-Residential mixture. According to the plan, allowable residential density within land designated for office use may exceed 22 units per acre, limited by allowable building height. The intent of the plan is to increase residential density to achieve a more mixed-use future in South Park.

## **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

Optional provisions are for a height of 165 feet for the office building (building “H”), a project identification sign 25 feet tall and 200 square feet in area (plus an additional sign), and for parking and maneuvering between the buildings and public streets.

Elevations of the large office building are included in the site plan.

Petitioners intend to seek a variance from the Tree Ordinance to allow a view corridor into the office building site.

Building “H” is about 280 feet from the nearest single family property line. The parking deck is about 70 feet tall and is about 300 feet from the nearest single family property line.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT estimates that trip generation from the site will increase from 14,750 under the existing zoning to 20,900 trips under the proposed rezoning. A Traffic Impact Study has been requested and is in progress. CDOT has requested a future public right-of-way to the intersection of Fairview Road and Park South Drive. See attached memo for additional detailed comments.

**CATS.** CATS had no comments on this petition.

**Connectivity.** This site provides adequate connectivity.

**Storm Water.** Storm Water Services has determined that this proposal should proceed under its previously approved storm water plan. No additional improvements are being sought.

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

## **Outstanding Issues**

**Land Use.** The proposed office use is consistent with the mapped *South Park Area Plan*. However, the intensity of the project exceeds previous approvals that were based upon a “trip neutral” traffic standard. Essentially, the non-residential development rights of this site were “used up” in Phase 1 of this project. The residential development that was sought by the *South*

*Park Area Plan* is being eliminated. Staff believes this proposal as currently configured is not consistent with adopted plans.

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

Note IV.(k) allows parking per the minimum ordinance standard of one space per 600 square feet. Even the mixed-use nature of this area does not support a standard that low. More information is needed on the proposed level of parking.

The permitted use table needs to indicate if (and how much) medical office is being proposed.

The proposed height limit of 165 feet for building “H” is inconsistent with the South Park Area Plan, which calls for sites abutting single family residential to be a maximum of 40 feet in height. The height needs to be reduced.

Note VII.(b) needs to take the form of commitment to a deed restriction or other permanent instrument. This will ensure the connection through future potential changes of ownership. A trigger for the commitment is also needed. (CDOT is seeking a public street right-of-way instead of this note.)

The proposed optional request for a 200 square foot sign needs to be scaled down. This is not an appropriate sign for an urban environment.

The single-story retail building is out of character with this development. Some of the height and intensity of the office building needs to be transferred to this building, adding to the mixed-use character of South Park.

Elevations of the parking deck are needed.