

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

### **Rezoning Petition No. 2008-21**

**Property Owner:** Grier Diangkis and George D. Fields, Jr.

**Petitioner:** KSJ Development, Inc.

**Location:** Approximately 7.53 acres located on the southwest corner of Hampton Church Road and Washington Boulevard

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

**Request:** B-1(CD), neighborhood business, conditional to B-1(CD) S.P.A., neighborhood business conditional, site plan amendment

### **Summary**

This request proposes to modify an existing B-1(CD) plan in order to re-allocate/reduce the amount of building square footage. The current B-1(CD) plan allows 14,560 square feet of retail, 8,240 square feet of restaurant, and 44,400 square feet of office. The proposed site plan amendment would result in a 40,000 square-foot fitness facility, 12,000 square feet of retail, 5,000 square feet of restaurant, and 3,000 square feet of office. The amendment also proposes reconfiguring of the site layout. The site is currently vacant.

### **Consistency and Conclusion**

The *University City Area Plan* (2007) recommends transit-oriented residential land uses for this parcel. The parcel is adjacent to the Hampton Park community and is within the proposed City Boulevard station area for the Northeast Light Rail Transit Corridor. The Implementation portion of the plan recommends a corrective rezoning of the property to apply a TS (Transit Supportive) Overlay. The proposal is inconsistent with the plan, but in this particular case the applicant is consolidating the previously approved retail square footage and not increasing the previously approved parking.

Based upon the above, staff supports this proposal subject to the petitioner addressing outstanding site plan issues.

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

The parcel is surrounded by a mixture of residential, commercial, office, and vacant land on properties zoned R-5, B-1(CD), B-2(CD), B-D(CD) and CC.

## **Rezoning History in Area**

Rezoning Petition 2006-155 was approved on May 21, 2007, rezoning approximately 29.2 acres located on the northeast corner of Interstate 85 and City Boulevard from I-1 to MUDD-O to allow the Ikea development. However, the site is located within the proposed City Boulevard station area for the Northeast Light Rail Transit Corridor.

## **Public Plans and Policies**

The *University City Area Plan* (2007) recommends transit-oriented residential land uses for this parcel. The parcel is within the proposed City Boulevard station area for the Northeast Light Rail Transit Corridor, and the “Implementation” portion of the plan recommends a corrective rezoning of the property to apply a TS (Transit Supportive) Overlay

## **Proposed Request Details**

The proposed request is to re-allocate/reduce square footage. The modifications will result in the addition of a proposed fitness facility and a 7,200-square foot reduction in building area. The proposal also results in modifications to the site layout. The site plan accompanying the request provides the following details:

- Proposed three (3) building envelopes areas
- A 40,000 square-foot fitness facility, 12,000 square feet of retail, 5,000 square feet of restaurant uses, and 3,000 square feet of offices
- Potential outdoor field
- Parking area containing 284 parking spaces
- Proposed Class “B” buffer with fence and detention areas
- Proposed access points onto Shopping Center Road

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT has reviewed the request and states the subject site could generate approximately 4,300 trips per day as currently zoned. Per CDOT, the transportation impacts of the existing development were previously identified and mitigated. Under the proposed zoning the site could generate approximately 4,000 trips per day, which will have a lesser impact on the surrounding thoroughfare system. CDOT has provided the following comments regarding the petition:

- The eastern private driveway to Shopping Center Road needs to align with the existing driveway opposite the site to avoid the minor offsets and needs to also reflect the existing conditional zoning 2003-03 to provide a left-turn lane into the proposed site. (*Previous Comment-2*)
- The petitioner needs to provide a private drive aisle stub to the west for future development cross-access connectivity. (*Previous Comment-2*)

**CATS.** CATS has reviewed the petition and has no comments at this time.

**Connectivity.** Connectivity is proposed via two proposed driveways onto Shopping Center Drive. CDOT has requested that the petitioner provide a private drive aisle stub to the west for future development cross-access connectivity.

**Storm Water.** Storm Water Services (SWS) has reviewed the petition and notes the site drains to a stream listed as impaired by the NC Division of Water Quality, but no downstream complaints are observed. SWS has no further comments on this request.

**School Information.** This petition will not affect the school system.

### **Outstanding Issues**

**Land Use.** The *University City Area Plan* (2007) recommends transit-oriented residential land uses for this parcel, which is within the proposed City Boulevard station area for the Northeast Light Rail Transit Corridor. The “Implementation” portion of the plan recommends a corrective rezoning of the property to apply a TS (Transit Supportive) Overlay. The proposal is inconsistent with the plan, but in this particular case the applicant is consolidating the previously approved retail square footage and not increasing the previously approved parking.

**Site plan.** Staff supports this request subject to the petitioner addressing the following outstanding site plan items:

- Petitioner has removed the required buffers from the site plan. Petitioner must correct site plan to clearly label buffers, including widths. Petitioner must provide a cross-section of the fence and plantings.
- Provide pedestrian access from Hampton Church Road to Shopping Center Road. Petitioner must show on the site plan how this will be accomplished.
- Petitioner has communicated that modifications will be made to comply with CDOT requests as noted in this analysis.