

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

### **Rezoning Petition No. 2005-169**

<b>Property Owner:</b>	Scholtz II. Ltd. Partnership
<b>Petitioner:</b>	Red Partners
<b>Location:</b>	Approximately 3.07 acres located between Kenilworth Avenue and Scott Avenue, south of East Boulevard.
<b>Request:</b>	R-22MF PED, multi-family residential, up to 22 dwelling units per acre pedestrian overlay district and B-1 PED, neighborhood business, pedestrian overlay district to R-22MF PED-O, multi-family residential, up to 22 dwelling units per acre pedestrian overlay district- optional and B-1 PED-O, neighborhood business, pedestrian overlay district – optional.

**NOTE:** Due to the increase in acreage and a change in the rezoning request a new community meeting must be held. The petitioner requests a one-month deferral to the February public hearing.

### **Summary**

This petition seeks to allow an expansion of the parking area at the current office complex, which will eventually serve this site and a future abutting mixed use development that fronts on Kenilworth Avenue. The two sites will eventually be connected. In addition, approximately 0.041 acres of the R-22MF PED zoning is requested to be rezoned to B-1 PED-O. The following are listed as optional requests:

- Allow expansion of the existing parking area located between the existing office complex and Scott Avenue.
- Allow an eight-foot planting strip to be provided along the project frontage on Scott Avenue and Kenilworth Avenue instead of installing trees in raised planters or tree pits, as required along Kenilworth Avenue and Scott Avenue per the East Boulevard Pedscape Plan.
- Request to exceed the height limitation in the R-22MF PED zoning by approximately 2 feet, 10 inches.

### **Consistency and Conclusion**

The development in its entirety is consistent with the land use policy recommendations for both the East Boulevard Pedscape Plan (PED) and the Central District Plan. The subject properties are proposed for redevelopment concurrently. The property that fronts Scott Avenue contains a two-story brick office building that will remain. An existing parking lot is located between the building and Scott Avenue, making it difficult to meet the PED standard of no parking or maneuvering within any required or established setback without wholesale demolition and reconstruction. The allowance of a small amount of additional parking to the existing lot will

facilitate the development of the surrounding property in accordance with PED standards. Two residential condominium buildings are proposed fronting Kenilworth Avenue and are required to meet PED standards. Therefore, upon resolution of the outstanding site plan issues, this petition is considered appropriate for approval.

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

The subject properties are zoned B-1 PED and R-22MF PED and developed with an office building and single family dwellings. Abutting properties to the west of Scott Avenue are zoned MUDD(CD), NS, B-1, O-2, R-8 and R-5 and are developed with retail, office and residential uses. Properties on the east side of Scott Avenue are zoned NS, B-1, O-2 and R-5 and developed with retail, office and residential uses.

### **Rezoning History in Area**

Approximately 2.8 acres were rezoned on the north side of East Boulevard from O-2 and B-1 to MUDD(CD) via Petition 98-104. Several parcels located on the northeast and southwest intersections of Scott Avenue and East Boulevard were rezoned from B-1 to NS per Petitions 98-78 and 97-88.

### **Public Plans and Policies**

**East Boulevard Pedscape Plan (2002).** The East Boulevard Pedscape Plan calls for the development of mid-high rise development in the blocks between Kenilworth Avenue and Scott Avenue, north and south of East Boulevard.

**Central District Plan (1993).** The Central District Plan recommends multi-family and commercial land uses for the subject property.

### **Proposed Request Details**

The site plan accompanying this petition seeks to provide additional parking in front of the existing building along Scott Avenue where surface parking is currently located and to rezone a portion of the existing R-22MF PED zoning to B-1 PED-O. The site plan accompanying this petition contains the following details:

- Bicycle parking will be provided.
- A new commercial building is proposed in the B-1PED-O zoning.
- Two residential condominium buildings are proposed along Kenilworth Avenue.
- An eight-foot sidewalk will be provided along the project frontage on Scott Avenue and Kenilworth Avenue.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** This site is seeking to change a provision to an overlay zoning, not a base zoning. By-right land uses are not proposed to change. As such, trip generation rates have not been calculated for this rezoning petition.

**CATS.** There is currently transit service provided to this site.

**Connectivity.** There are no connectivity issues associated with this petition.

**Storm Water.** Storm Water Services foresees no significant downstream impacts associated with this development and is not requesting any additional improvements beyond normal minimum ordinance requirements.

**School Information.** This non-residential petition will have no impact on the school system.

## **Outstanding Issues**

**Land Use.** The development in its entirety meets the land use policy recommendations for both the East Boulevard Pedscape Plan (PED) and the Central District Plan. The subject properties are proposed for redevelopment concurrently. The property that fronts Scott Avenue contains a two-story brick office building that will remain. An existing parking lot is located between the building and Scott Avenue, making it difficult to meet the PED standard of no parking or maneuvering within any required or established setback without wholesale demolition and reconstruction. The allowance of a small amount of additional parking to the existing lot will facilitate the development of the surrounding property in accordance with PED standards. Two residential condominium buildings are proposed fronting Kenilworth Avenue and are required to meet PED standards.

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

- Label Scott Avenue and Kenilworth Avenue.
- List existing uses as office and residential.
- List proposed uses as office and residential.