

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-031

Property Owner: Boulevard Centro

Petitioner: Boulevard Centro

Location: Approximately 1.12 acres located southwest of E 7th Street and southeast of N Caldwell Street.

Request: UMUD, urban mixed-use development to UMUD-O, urban mixed-use development optional

Summary

The petitioner is proposing an Optional UMUD to move the overhead utilities instead of burying the existing power lines along the project frontage. The addition of the power lines in a duct bank (which is a collective concrete bank of utilities underground) is complicated and costly partially due to the congestion of the area. With the monetary savings, the petitioner will add mast arms for light and traffic signals, which will go along way to eliminate the visual clutter of overhead power lines.

Consistency and Conclusion

Although staff is concerned about future requests of a similar nature, the petitioner has set the standard high by providing for the replacement of the large maturing trees and the installation of lighting and the installation of the mast arms at 6th / Caldwell and 6th / Davidson. The petition is consistent with the adopted Transit Station Area Principles and is therefore considered appropriate for approval.

Existing Zoning and Land Use

The properties surrounding the petitioned site are zoned UMUD and UR-2. The areas formerly know as "Earl Village" has seen tremendous redevelopment since the mid 1990's. Land uses in the area range from residential, institutional, and office to commercial.

Rezoning History in Area

The most recent rezoning in the area immediately surrounding the petitioned site was in 2005 for the Bobcats Arena. The property was rezoned from UMUD to UMUD-O for the approval of a special signage program.

Public Plans and Policies

Transit Station Area Principles (2001). The Northeast Transit Corridor Major Investment Study (MIS) identified a potential rapid transit station at 9th Street. The South Corridor, under construction, includes a light rail station at 7th street. This parcel is within a 1/4 mile of both locations, making it suitable for transit oriented development. The Transit Station Area Principles recommends a minimum of 20 dwelling units per acre between a ¼ and ½ mile walking distance from a transit station.

Proposed Request Details

The requested rezoning will allow the developer - through the optional process - to request relief from the underground utility requirement. The site plan accompanying this petition indicates the following:

- 188 residential units with 10,174 square feet of retail in 2 phases.
- The total building square footage will not exceed 228,330
- Street trees will be provided along Caldwell, Davidson and 6th Street.
- The proposed relocation of overhead utilities is indicated.

Public Infrastructure

Traffic Impact / CDOT Comments. Trip generation for this petition has not been calculated, for the purpose of the rezoning is not to change any development rights but to deviate from a UMUD standard. This petition is for a site that is currently under construction, and the deviations from UMUD standards are not expected to change the size of the allowed development. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The proposed UMUD-Optional request(s) must be provided on the site plan.
- Part of our support of this request is the petitioner's commitment to fund the installation of steel poles/mast arms at intersections of 6th/Davidson and 6th/Caldwell intersections as well as for street lights in this block of 6th Street. This commitment needs to be noted on the plans.
- Because this request includes the relocation of overhead utilities on one side of 6th Street to the opposite side, the utility relocations need to be coordinated with the Breakfast Club/Last Call Lounge. This existing nightclub is located diagonally across the 6th/Caldwell intersection from this site and is currently in the building permit process to expand its patio and install a planting strip along 6th Street. Please contact Robert Godfrey, Breakfast Club/Last Call Lounge's site plan designer, at 910.471.1842 to coordinate the utility plan with their project and determine whether there are conflicts.

CATS. CATS request that the petitioner maintain the bus pullout on Davidson St.

Storm Water. Storm Water Services indicates that no additional requirements are needed at this time.

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

Outstanding Issues

Land Use. The proposal is to rezone approximately 1.12 acres located southwest of East 7th Street and southeast of North Caldwell Street from UMUD to UMUD-O to request relief from the underground utility requirement. The adopted site plan of residential units with a small retail component is not expected to change. This is consistent with the *Transit Station Area Principles*.

Site plan. The following site plan issues are outstanding:

- Remove note that the decorative lighting will not be provided by the petitioner.
- All CDOT comments should be addressed.