

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-100

Property Owner: Crosland-521 Commons, LLC; Frank & Paula Arey; 16147 Lancaster Highway, LLC

Petitioner: RE Investments c/o Steve Hopper

Location: Approximately 6.6 acres on the east side of US 521 (Lancaster Highway), south of Johnston Road

Request: Change from NS (neighborhood services) to BD(CD) (conditional distributive business) and NS site plan amendment

Summary

This petition seeks approval for 73,762 square feet of self-storage, up to 35,200 square feet of office, commercial, retail or restaurant space, and an additional 13,700 square feet of office space. The site is currently approved for up to 50,000 square feet of commercial/retail/restaurant uses and an additional 21,500 square feet of office space.

Consistency and Conclusion

While adopted land use plans do not specifically support the proposed self storage facility it could be considered neighborhood supportive and, therefore, appropriate as part of a neighborhood shopping center.

Upon correction of the site plan deficiencies noted below, this petition would be appropriate for approval.

Existing Zoning and Land Use

The petitioned site was previously rezoned for office development, then rezoned in 2005 to add 50,000 square feet of retail space. There is a shopping center on the north side of the petitioned site zoned B-1(CD). There is a cell tower to the east in R-3 zoning. An undeveloped parcel is to the south and zoned R-3 and there is a multi-family development to the west across US 521 that is zoned R-8MF(CD).

Rezoning History in Area

There have been numerous rezonings approved for increased intensity in the area for both residential and non-residential developments.

Public Plans and Policies

The *South District Plan* (1993) as amended shows the property as commercial by virtue of its prior rezoning, initially for primarily office use, and then modified by a site plan amendment for more retail use (case 05-026). The plan originally showed single-family land use, with a designated neighborhood center generally in the vicinity of the Johnston Road/Lancaster Highway intersection.

Proposed Request Details

In addition to the summary above, the site plan accompanying this petition contains these additional provisions:

- The inner 15 feet of the 27-foot buffer along the southeastern portion of the site is proposed to be used for a water quality drainage swale.
- No detached signage is proposed for the self storage site. Wall signs are limited to 50 square feet per wall. For the office/commercial/retail/restaurant buildings, detached signs up to seven feet high and 100 square feet in size are proposed.
- The self storage buildings are limited to two stories and 40 feet in height.
- The retail/restaurant/office buildings fronting US 521 are already under construction.
- Any retail/restaurant uses exceeding 15,000 square feet must be phased to completion of transportation improvements to Lancaster Highway and US 521.

Public Infrastructure

Traffic Impact / CDOT Comments. The proposed future connectivity should be formalized with a dedicated access easement. See attached memo for detailed comments.

CATS. CATS did not comment on this petition. The nearest bus service is to the Ballantyne town center.

Connectivity. This proposal adequately addresses potential future connectivity.

Storm Water. Storm Water Services is not satisfied with the proposed water quality improvements. See attached memo.

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

Outstanding Issues

Land Use. The request for the 6.6 acre site, presently zoned NS Neighborhood Services, is: rezoning of 2.36 acres to BD(CD) Distributive Business, Conditional, to allow for a 73,762 sq. ft. indoor self-storage facility; and Site Plan Amendment to the NS Neighborhood Service zoning on the remaining 4.2 acres of the site.

	Previously Approved	Requested
Retail	50,000 sf	35,200 sf
Office	21,500 sf	13,700 sf
Indoor Self Storage	0	72,000 sf
TOTAL	71,500 sf	120,900 sf

The proposed development is not consistent with the *South District Plan* as amended, since the plan does not explicitly allow for self-storage facilities. If designed in such a way as to blend with the office and retail uses onsite, and so as not to impose functional or visual negative impacts on surrounding property, the petition is appropriate for consideration.

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

- The proposed signage for Tract B exceeds ordinance maximums. Detached signage should be limited to the existing center sign with tenant identification panels. The buildings along US 521 are close enough to the highway that allowed wall signage should be more than adequate for advertising and identification.
- The current water quality proposals are not acceptable to Storm Water Services. This issue needs to be resolved. See attached Storm Water Services memo.
- The buffer area notes need to be modified to reflect that the site has already been cleared and graded. Existing buffers should be respected with the exception of the proposed drainage swale in an unplanted portion of the buffer.
- Buffer Area note #3 needs to be modified to reflect that utilities may not be included in buffers except as a 90 degree penetration of the buffer.