

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

### **Rezoning Petition No. 2007 - 024**

**Property Owner:** Alberta H. Boyd (heirs)

**Petitioner:** York Development Group, Inc.

**Location:** Approximately 3.72 acres located on the southwest corner of South Tryon Street and Moss Road.

**Center, Corridor or Wedge:** Wedge

**Request:** R-3, single-family to NS, neighborhood services

#### **Summary**

This request proposes to rezone 3.72 acres to NS to allow up to 34,000 square feet of office uses in two buildings, one of which is a 5,000 square foot bank with a drive-thru window.

#### **Consistency and Conclusion**

This request is inconsistent with the *Southwest District Plan*, which recommends single-family residential with up to three dwelling units per acre at this location. This request also proposes to utilize the NS zoning category, which is intended for mixed use retail and service uses, for vehicular oriented office uses. Therefore, this petition is not considered appropriate for approval from a land use or site plan standpoint. There are presently numerous outstanding site plan issues.

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

The surrounding properties are zoned O-1(CD), R-3, R-12MF, and R-15MF(CD) and are occupied by an institutional use, residential dwellings, and office uses.

#### **Rezoning History in Area**

The property to the east across Moss Road was rezoned from I-1(CD) to O-1(CD) under petition 2005-73 to reduce the setback along South Tryon Street from 100-feet to 50-feet and maintain the 50-foot setback along Moss Road. The plan allows up to 39,000 square feet of office uses.

#### **Public Plans and Policies**

***Southwest District Plan (adopted 1991).*** This plan recommends single-family residential development at this location with up to three dwelling units per acre.

#### **Proposed Request Details**

This request proposes to rezone 3.72 acres to NS to allow up to 34,000 square feet of office uses in two buildings one of which is a 5,000 square foot bank with a drive-thru window. The site plan also includes the following:

- The petitioner will construct a CATS pad to accommodate a bus shelter along South Tryon Street.
- A 6-foot wide sidewalk with an 8-foot wide planting strip will be installed along Moss Road.

### **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT notes that this site could generate approximately 100 trips per day as currently zoned. Under the proposed zoning, the site could generate approximately 1,500 trips per day. This will have a minor impact on the surrounding thoroughfare system. Additional CDOT comments are attached.

**CATS.** CATS requests that the petitioner construct a waiting pad as per CATS Development Standard 60.01A on South Tryon Street.

**Connectivity.** Connectivity is not an issue.

**Storm Water.** Storm Water Services notes that downstream complaints consist of flooding.

**School Information.** This request will not impact the school system.

### **Outstanding Issues**

**Land Use.** This request is inconsistent with the *Southwest District Plan*, which recommends single-family residential with up to three dwelling units to the acre at this location.

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

- The proposed zoning should be amended to the office district which is the appropriate zoning category for this request.
- The petitioner should maintain a 50-foot landscaped setback along South Tryon Street and Moss Road.
- The petitioner should include a 6-foot wide sidewalk with an 8-foot wide planting strip along South Tryon Street.
- The petitioner should show sidewalk connections from both buildings to the sidewalks along South Tryon Street and Moss Road.
- The petitioner should add a note limiting the signage to one sign with a maximum height of 4-feet and sign area of 32-feet.
- A 17.5% tree save area should be shown.
- The parking calculation under the “site data table” should be corrected.
- The petitioner should show vehicle stacking at the bank drive-thru windows.
- The petitioner should label the perimeter buffer as a class “C” and increase the width to 19.5-feet with a fence to meet the office district requirements.
- All CDOT issues should be addressed.