

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

### **Rezoning Petition No. 2007-38**

**Property Owner:** Brookdale GP Limited Partnership and APS Investments LLC

**Petitioner:** Rocky River Deacon Devilcat, LLC

**Location:** Approximately 6.3 acres on the west side of Plaza Road Extension, south of Rocky River Road

**Center, Corridor, Or Wedge** Wedge

**Request:** CC, Commercial Center, to BD(CD), condition distributive business, and CC (site plan amendment)

### **Summary**

This petition seeks to modify a previously approved site plan to accommodate an enclosed self storage facility (101,400 square feet) and two retail/office buildings (totaling 44,000 square feet). It deletes a previously approved hotel. Approximately 13,000 square feet of retail has already been built per the approved site plan. The site is split by the Mecklenburg/Cabarrus county line. The currently approved site plan allows 50,000 square feet of retail plus a 120-room hotel.

### **Consistency and Conclusion**

This petition is consistent with adopted plans and policies and upon correction of the site plan deficiencies noted below, would be appropriate for approval.

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

To the north and east are other portions of the shopping center. To the south is a rural residence in the R-3 zoning district. I-485 is to the west.

### **Rezoning History in Area**

The previous rezoning of this site to CC in 2002 is the only recent rezoning activity in this area.

### **Public Plans and Policies**

*The Rocky River Road Area Plan* (2006) reflects the community shopping center in this location.

### **Proposed Request Details**

The site plan accompanying this petition contains these additional provisions:

- All outside storage is prohibited.
- No exterior access to storage units will be allowed. Covered loading areas will be provided. The storage building is accessible 24 hours a day but is not staffed to those hours.
- Elevations of all four sides of the storage building are included as part of the site plan. They depict a largely brick exterior.
- A 75-foot Class “B” buffer is provided along the southern boundary and a 35-foot landscaped setback along the interstate.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** CDOT estimates that trips generated by the site will be significantly less than under the current zoning. No additional improvements are being requested.

**CATS.** CATS had no comments on this petition.

**Connectivity.** The site has multiple access points. CDOT has not requested additional connectivity.

**Storm Water.** Storm Water Services has requested that the petitioner include information about the overall stormwater plan for the larger shopping center. The requested note would have the petitioner address any deficiencies. See attached memo for details.

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

## **Outstanding Issues**

**Land Use.** There are no land use issues with this petition. It is appropriate for approval from a land use perspective.

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

- The notes requested by Engineering and Property Management need to be added to the site plan.
- A note needs to be added to the site plan that buffers shown on the site plan will be in place prior to the issuance of any certificates of occupancy.
- The “outparcels” described on the Brookdale Phase 2, Map 1 sheet do not conform to the tracts on the site plan. A metes and bounds description is needed for tracts A & B.