

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-064

Property Owner: Mt. Holly Huntersville Medical I and II and Mountain Island (E and A), LLC

Petitioner: Mountain Island (E and A), LLC

Location: Approximately 27.8 acres located on the southwest corner of Brookshire Boulevard and Mount Holly-Huntersville Road

Center, Corridor or Wedge: Center

Request: CC SPA (LWPA), commercial center site plan amendment within the Lake Wylie Protected Area

Summary

This petition proposes to eliminate the 100-foot buffer required along Brookshire Boulevard. The maximum amount of retail and office uses will not be increased.

Consistency and Conclusion

The request is consistent with land the *Brookshire / I-485 Area Plan* and is appropriate for approval upon resolution of the outstanding site plan issues.

Existing Zoning and Land Use

The land use zoning around the petitioned site is a mixture of commercial within such districts as B-1, NS, B-1 SCD, and CC as well as some single and multi-family residential.

Rezoning History in Area

The area immediately surrounding the petitioned site has seen many rezonings in the past 10 years. The majority of the properties have been rezoned to allow office/commercial development. The most recent rezoning was petition 2006-060 for the property across Brookshire Boulevard. The rezoning allows the development of 360,000 square feet of retail uses, 165,000 square feet of office uses, 127,000 square feet of underground climate controlled storage, and 625 residential units.

Public Plans and Policies

Brookshire Boulevard / I-485 Area Plan (adopted 2002) recommends retail land uses for the subject site.

Northwest District Plan (adopted 1990) recommends retail land uses for the subject site. A rezoning for this site that approved in 1996 for retail development amended the district plan to reflect retail land uses.

General Development Policies. Retail-oriented mixed/multi-use centers should be a focal point for the surrounding community providing retail and other services in a pedestrian-oriented, compact, mixed-use setting. Center should be composed of compact buildings that complement the surrounding neighborhoods and are supported by transportation networks that provide for a variety of travel choices. In general, they should provide retail (such as eating establishments, personal services, food stores and banks) office, civic, and residential uses within comfortable walking distances of each other.

Proposed Request Details

The requested rezoning will still allow 375,000 square feet of development with a maximum of 275,000 square feet of retail. The proposed amendment involves a change to the buffer along Brookshire Boulevard. The request proposes to reduce the buffer from 100-feet to 60-feet. It also indicates two areas with 35-foot landscaped area as previously approved “tree clear areas.”

Public Infrastructure

Traffic Impact / CDOT Comments. This site could generate approximately 13,000 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 13,000 trips per day. As currently developed the site generates approximately 3,600 trips per day. Although this petition does not propose to increase development rights, access to the site at build out was not designed to operate under current access or traffic conditions. Provided that the improvements described below are constructed, we believe that its impact can be minimized.

Since access is proposed to an NCDOT-maintained roadway, they may require TIS as part of their driveway permit approval process. A new driveway permit is necessary due to increasing the intensity of use of the driveways. They may have additional or different requirements for their approval than what is identified in this rezoning process. The developer/petitioner is recommended to meet with NCDOT early in the development process to identify any issues that they may have. See attached memo for additional comments.

CATS. CATS had no comments on this petition.

Storm Water. Storm Water Services recommends that this petition be revised as follows:

- The following definition should be added: Residential Development: A development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit.
- Note #11 should be removed.

- Note 12 should be removed and replace with the following note:

The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.

For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

For commercial projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hr storm.

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

Outstanding Issues

Land Use. This request for a CC site plan amendment to allow for the location of building on the site to be adjusted is consistent with land use recommendations in the *Brookshire / I-485 Area Plan* which recommends retail land uses for the subject property.

Site plan. The following site plan comments are outstanding:

- The buildings should be moved out of the 100-foot setback on Brookshire. We suggest that they be moved to both sides of the road running between Brookshire and Couloak Drive.
- All lights should be fully shielded and no wall pak lighting should be allowed.
- Note #12 should explain which future shops the note is referring to and should not allow the use of painted CMU along Brookshire Boulevard.
- Building elevations should be provided.
- The allowed uses include restaurants with drive in service. Please provide a layout of how this would work and limit the locations to area identified on the site plan.
- The petitioner should explain why a 35-foot landscaped buffer being shown for a portion of the site along Brookshire. This should be increased to 100-feet.
- The left over on Mt. Holly Huntersville Road should be coordinated with the apartments across the street.
- Mt. Holly Huntersville Road should be labeled.

- Sidewalk connections with a minimum width of 5-feet should be provided from the center to Mt. Holly-Huntersville.
- Create on-street parking opportunities in the Office developments along the internal spine roads.
- Buildings should be grouped in a cluster with clearly defined pedestrian pathways in order to improve pedestrian mobility.
- The buildings should be organized around common open space and other site features.
- The restaurant/retail building should be located at the corner with parking internalized.
- Note #5 should indicate that dumpsters will be enclosed with a solid enclosure with gates.
- Note #6 should state that all lighting will be fully shielded and not wall pak lighting will be allowed.
- Notes #6 and #14 should be consolidated
- Note #10 references the County Fire Marshall, but should reference the City Fire Marshall
- The note on storm water management (note#11) should be revised to comply with watershed regulations.