

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-110

Property Owner: A&R Holdings, LLC

Petitioner: Robert K. Nixon

Location: Approximately 0.19 acres located at the intersection of Pecan Avenue and Gordon Street

Center, Corridor or Wedge: Corridor

Request: MUDD-O(PED), mixed use development district, optional, pedestrian overlay district, to MUDD-O(PED) SPA, mixed use development district, optional, pedestrian overlay district, site plan amendment.

Summary

This request for a site plan amendment to permit up to an 11,132 square feet expansion to a 3,868 square feet building. The site plan depicts an expansion of 4,489 square feet. The intended use of the building is for a restaurant. The subject parcel is approximately 8,468 square feet parcel in area.

Consistency and Conclusion

The *Plaza-Central Pedscape Plan* includes a streetscape plan applicable to PED, MUDD, and other urban districts. The proposed development is not consistent with the streetscape requirements in the *Plaza-Central Pedscape Plan* and is not appropriate for approval.

Existing Zoning and Land Use

The building on the subject property does not have a tenant at this time. Surrounding properties across the streets are retail/commercial properties within the Plaza-Central district.

Rezoning History in Area

The subject property was rezoned from B-2 to MUDD-O under petition 2002-025. A parcel at the southeast corner of Central Avenue and Pecan Avenue was rezoned from B-2 to MUDD-O by petition 2003-65.

Public Plans and Policies

The *Plaza-Central Pedscape Plan* (2003) shows the future land uses for the subject property as retail mixed use, including retail, office and multi-family uses.

The proposed use is consistent with the *Plaza-Central Pedscape Plan*.

Proposed Request Details

The proposed rezoning is being requested to allow the expansion of the building for a restaurant. The petitioner would add a second floor in some areas, as well as rooftop seating. The current approved site plan allows for several uses, but does not allow for the expansion of the building.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT staff had had the following specific site comments that were critical to their support of the rezoning petition:

- The petitioner should provide 6' sidewalks and 8' planting strips on Pecan Avenue and Gordon Street consistent with TAP and best practices. We are in agreement with the sidewalk as shown on Pecan Avenue. The proposed addition/dining patio on Gordon Street should be modified to increase the width of the sidewalk from 4 feet to 6 feet, while maintaining the existing planting strip on the property side of Gordon Street.
- The van accessible space shown on the adjacent parcel is not currently striped or signed for this purpose. This needs to be included in any parking lease and documentation provided to the City for verification of the leased spaces.
- Ten of the parking spaces shown on the adjacent property are located within the public right-of-way and sidewalk areas. Pedestrians will need to walk in the street in order to travel along the sidewalk on both Pecan Avenue and Gordon Street. These spaces do not meet any standard and would not be approved through the building/driveway permit process. In order for these spaces to be considered as legally non-conforming parking spaces, an approved building/driveway permit site plan for the adjacent building must be provided showing the spaces approved at that time.

CATS. CATS would like the petitioner to be aware that the petitioner's site is located within the boundaries of the proposed streetcar corridors and near the proposed Pecan Avenue Station.

Storm Water. Storm Water Services staff have no requests at this time.

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

Outstanding Issues

Land Use. This request is consistent with adopted land use plans for the area.

Site plan. There are several outstanding site plan issues that prevent staff from supporting the petition in its current form. We have the following concerns about the proposed plan:

- The Plaza-Central Pedscape Plan requires a building setback from the curb at Gordon Street of 16 feet, to include trees in curbed planters. Planting strips along on-street parking are not considered appropriate. The proposed 10-foot building setback to new construction, inadequate 4-foot sidewalk, and narrow grass planting strip along parking with no trees, is not in accordance with the streetscape requirements.
- The petitioner should revise the site plan to show compliance with streetscape requirements of the *Plaza-Central Pedscape Plan*.
- Staff believes that a 15,000 square foot building on an 8,468 square foot parcel is excessive. We request that the petitioner reduce the building size.
- If the petitioner is unwilling to reduce the scale, we would request a rendering of what the building would look like if built to the proposed 15,000 square feet.
- The site plan should specify whether the rooftop area is calculated into the building area calculations.
- It appears that some trees will be removed from the right-of-way. The City Arborist has not yet authorized the removal of these trees. The petitioner should show all the existing trees on the site plan, and show compliance with street tree requirements.
- 68 parking spaces are required for the building shown. The site plan shows 67 parking spaces. Will the restaurant and Charlotte Camera be open at the same time?
- Staff is unsure of what specific MUDD optional requests are being made, and would request that the petitioner list them.
- The building elevations should be revised to conform to MUDD design standards. The current drawings leave an excessive amount of blank wall showing at street level.
- The site plan should show the location of dumpster and screening per ordinance requirements.
- Staff requests that the location of storm water detention and water quality treatment area be shown on the plan.
- The van accessible space shown on the adjacent parcel is not currently striped or signed for this purpose. This needs to be included in any parking lease and documentation provided to the City for verification of the leased spaces.
- Ten of the parking spaces shown on the adjacent property are located within the public right-of-way and sidewalk areas. Pedestrians will need to walk in the street in order to travel along the sidewalk on both Pecan Avenue and Gordon Street. These spaces do not meet any standard and would not be approved through the building/driveway permit process. In order for these spaces to be considered as legally non-conforming parking spaces, an approved building/driveway permit site plan for the adjacent building must be provided showing the spaces approved at that time.