

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

### **Rezoning Petition No. 2008-006**

**Property Owner:** Galleria Partners I, LLC

**Petitioner:** Galleria Partners I, LLC

**Location:** Approximately 1.96 acres located on the northwest corner of Galleria Boulevard and Galleria Club Lane

**Center, Corridor, or Wedge:** Corridor

**Request:** CC, commercial center to UR-2 (CD), urban residential conditional district

### **Summary**

The purpose of this rezoning is to allow the development of Phase II of the Galleria Village Apartments. The request is for a three-story building with 48 apartments at a density of 24.48 units per acre.

### **Consistency and Conclusion**

The proposed request is inconsistent with the *East District Plan* which recommends office and industrial mix. High density residential is an acceptable alternative as it complements the existing residential and retail development in the area. Therefore, this petition is appropriate and staff recommends approval, subject to the resolution of the outstanding site plan issues.

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

The area surrounding the petitioned site is zoned a mixture of CC, MUDD and industrial zoning with a minor amount of office and multi-family residential zoning across Monroe Road.

### **Rezoning History in Area**

There have been several rezonings associated with the Galleria Center. The original rezoning was petition 2002-058 for the development of 55.76 acres with a maximum building square footage of 382,800. The approved uses included multi-family, office, retail, and restaurants. The property currently proposed for rezoning was included in this original petition. Subsequently petitions 2003-56 and 2005-002 were approved to allow the first phase of Galleria Village Apartments and up to 20,000 square feet of office and retail uses on the northeast corner of Galleria Boulevard and Monroe Road.

Petition 2004-22 rezoned 18.3 acres on the west side of Monroe Road, south of Sardis Road North from R-17MF to NS. In 2003, petition 2004-56 was approved to rezone the property adjacent to the petitioned site from I-1 and CC to MUDD-O. Also in 2002, HH Hunt (petition 2002-46) attempted to rezone the property located on the west side of Monroe Road, south of Coverdale and north of Sardis Road. The request for rezoning from I-1 and I-1(CD) to R-17 MF (CD) was denied in June of that year.

## **Public Plans and Policies**

*Eastside Strategy Plan* (adopted by Charlotte City Council, October 21, 2001) does not make a land use recommendation for this parcel, but does recognize Monroe Road as a major thoroughfare along a rapid transit corridor, Independence Boulevard. Although the petitioned property is near a proposed southeast corridor transit station, it is not within either the ¼ or ½ mile radius of said transit station. Therefore, the transit station area principles would not apply.

*East District Plan* (adopted by Charlotte City Council, November 1990) proposes a mix of industrial and office uses.

## **Proposed Request Details**

The site plan accompanying this petition indicates a maximum of 48 multi-family units for rent. The maximum building height is 40-feet and detention will be provided by the basin approved with the original rezoning petition 2002-58.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** This site could generate approximately 1,700 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 323 trips per day. This will have a lesser and minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The site plan does not utilize the existing curb cut for connectivity with the adjacent parcel to the north. The plan needs to be revised to show how the proposed connection will affect the adjacent parking layout and note that the existing cut will be closed.

**CATS.** CATS Route 27 Monroe Road currently serves Monroe Road and Sardis Road North. CATS has received customer requests to service the internal development of Galleria Shopping Center.

In order to permit a safe location for bus operations within the development, CATS requests a bus pullout to be constructed with heavy-duty pavement to enable bus-travel and a bus layover. The bus pullout should be located approximately 40' South of the cross walk median and designed to provide for a minimum 60' full bay length, 10' full bay width, a 4:1 entry taper, 3:1 exit taper, and a 30' R at all transition points.

CATS additionally requests a shelter pad on Galleria Blvd. near the location of the bus pullout, constructed to CATS Development Standards 60.03 A.

**Storm Water.** Storm Water Services is requesting their normal provisions to address storm water quality and peak/volume controls. (See attached memo.)

**School Information.** The development allowed under existing zoning will not generate students, while the development allowed under the proposed zoning will produce 12 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero. (See attached memo for additional information)

## **Outstanding Issues**

**Land Use.** The proposed land use is consistent with approved rezoning in 2002 (2002-58) for that area included high density residential as a component of the approved mixed-use site plan. Although high density residential was approved only in an adjacent area within the site plan boundaries, planning staff at that time recommended a more intensive use of residential in other parts of the site plan. High density residential is an acceptable alternative to the office and industrial mix proposed by the adopted *East District Plan* for this parcel because the high-density residential component in the area complements the existing residential and retail development.

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

- Access easements to the adjoining office use should be provided from Galleria Club Lane.
- The four-foot sidewalk that runs between the building and the parking should be extended to connect to Galleria Boulevard on the northern side of the building. This sidewalk as well as the one on the southern side of the building should be increased to 5-feet in width.
- 5-foot sidewalks are required from each unit to the public street.
- All other department comments should be addressed.