

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-103

Property Owner: Gabriel Rogers

Petitioner: Gabriel Rogers

Location: Approximately .96 acres located on the north side of Tuckaseegee Road between Browns Avenue and Cheshire Avenue

Center, Corridor, or Wedge: Wedge

Request: R-4, single family residential to O-1 (CD), office conditional district

Summary

This petition proposes to rezone approximately .96 acres to allow the existing 3,978 square foot residence to be converted into an office.

Consistency and Conclusion

This request is inconsistent with the *Northwest District Plan* and is therefore not appropriate for approval. Staff does not support introducing additional non-residential uses on the north side of Tuckaseegee Road.

Existing Zoning and Land Use

The properties to the north, east, and west of the petitioned site are zoned R-4 and are either developed with homes or are vacant. A fraternal lodge is located to the east of the property within the R-4 zoning. Across Tuckaseegee Road the properties are zoned a mix of O-1 for a childcare center, B-1 (CD) for a shopping center and I-1 (CD) for industrial development.

Rezoning History in Area

The most recent rezoning in the immediate area was for the I-1 (CD) property across Tuckaseegee Road from the subject site. The area was rezoned from O-1 to I-1 (CD), industrial by petition 2005-70 to allow the property to be developed in conjunction with the property to the south. The site plan included a 75-foot buffer along Tuckaseegee Road with grading outside of the 75' buffer; up to 34,500 square feet office, warehouse, and associated parking; and no parking of trucks and trailers.

Public Plans and Policies

Thomasboro-Hoskins Area Plan (adopted 2002), which amends the *Northwest District Plan*, recommends single family up to 5 dwelling units per acre for the subject property.

Proposed Request Details

The site plan associated with this petition shows the existing building with 20 parking spaces. Buffers, bicycle parking, and sidewalks with planting strips are required. The site plan includes the following notes:

The site will comply with the Post Construction Controls Ordinance;
Fully shielded lighting will be provided;
Wall pak lighting will not be permitted; and
The use will be limited to general office.

Public Infrastructure

Traffic Impact / CDOT Comments. Consistency with Transportation Action Plan (TAP):

The two goals of the TAP that most directly affected the staff's review of this petition define the integration of land use and transportation, and the provision of transportation choices.

Goal 1 of the TAP relies on the Centers, Corridors and Wedges land use strategy to be implemented. This project site is located in a Wedge and appears to support the Centers, Corridors and Wedges land use strategy.

Goal 2 of the TAP describes various connectivity and design features that are important for motorists, pedestrians and bicyclists. Specific comments are identified below that need to be addressed for CDOT's support of the petition and to bring the site plan into compliance with the TAP and best practices for multimodal transportation.

Vehicle Trip Generation

This site could generate approximately 60 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 680 trips per day. This will have a minor impact on the surrounding thoroughfare system. CDOT has the following specific comments that are critical to their support of the rezoning petition:

The existing left-turn lane bay taper along Tuckaseegee Road will need to be restriped as a two-way left-turn lane to provide safe access to the proposed development.

The proposed development will be limited to one access point on Tuckaseegee Road. This will need to be located within the existing striped out area to provide sufficient storage for vehicles turning left into the site.

The proposed right-of-way and setback needs to be labeled and dimensioned on the plans.

The plan notes indicate that the petitioner/developer will construct an 8-foot planting strip and 6-foot sidewalk along Tuckaseegee Road. Any existing utility poles that conflict with the sidewalk location will need to be relocated beyond the new back-of-sidewalk (2-foot minimum).

CATS. CATS did not comment on this petition.

Storm Water. The site will be required to meet the adopted Post Construction Controls Ordinance.

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

Outstanding Issues

Land Use. The proposed rezoning is inconsistent with the adopted land use plans and is not considered appropriate for approval.

Site plan. The following site plan issues are outstanding:

The site plan should be drawn to match the indicated 1:20 scale.

The setbacks should be clearly labeled.

The existing residential structure is to remain.

The details of the proposed wooden fence should be indicated on the site plan.

All CDOT comments should be addressed.