

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-109

Property Owner: Thomas A. and Anne Guarino

Petitioner: Colony Investors, LLC c/o Mr. John Stopher

Location: Approximately 2.3 acres on the east side of Colony Road between Rea Road and Stonecroft Park Drive

Center, Corridor, or Wedge: Wedge

Request: R-3, single family residential, to MUDD(CD), conditional mixed-use development district

Summary

This petition seeks approval for 30,000 square feet of medical and general office space in a two-story building. Adequate parking is provided.

Consistency and Conclusion

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

Existing Zoning and Land Use

There are single family subdivisions to the northwest, north, east, and southeast; all located in the R-3 zoning district. To the south is an existing neighborhood shopping center zoned neighborhood services.

Rezoning History in Area

The townhomes across Colony Road were rezoned to R-8MF(CD) in 1999. The shopping center was rezoned to NS in 2002 and a parcel south of Rea Road was rezoned to R-8MF(CD) for townhomes in 2007.

Public Plans and Policies

The *South District Plan* (1993) supports a neighborhood shopping center at the corner of Colony Road and Rea Road.

The *General Development Policies* (GDPs) (2003) support an office component of up to 30,000 square feet in a neighborhood shopping center. This proposal is contiguous to and connected to the existing shopping center. Therefore, the proposed use is considered to be part of the shopping center and consistent with the GDPs.

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

The site plan reserves over 11% of the site as undisturbed tree save area.

Buffers and yards constitute over 30% of the site.

Parking is provided at 4.5 spaces per 1,000 square feet of medical office and 3.33 spaces per 1,000 square feet of general office.

Vehicular connections are to the existing shopping center and to Colony Road.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT estimates that trip generation will increase from 70 trips per day to 530 trips per day as a result of this proposal. CDOT is also requesting 45 feet of right-of-way from the existing centerline of Colony Road. See attached memo for additional detailed comments.

CATS. CATS did not comment on this petition.

Connectivity. This site is connected to the abutting shopping center. The driveway to the existing home from the residential subdivision street will be abandoned.

Storm Water. Storm Water Services is not requesting additional improvements beyond existing detention and Post Construction Control Ordinance.

School Information. This non-residential proposal will not impact the school system.

LUESA. LUESA has requested that a commitment to a Solid Waste Management Plan be made and has noted that demolition on the site may require asbestos permitting.

Outstanding Issues

Land Use. This proposal is consistent with adopted plans and policies and is appropriate for approval from a land use perspective.

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

The right-of-way dedication note needs to refer to the 45 feet from centerline as per the CDOT memo rather than dedication of a specific number of additional feet of right-of-way.

The note allowing disturbance of the 35-foot undisturbed buffer for a bio-retention facility needs to be modified to maintain the buffer as completely undisturbed. Required utility penetrations can also be placed elsewhere.