

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-042

Property Owner:	Coliseum Ground One, Inc, Coliseum Ground Two, Inc.
Petitioner:	Crescent Resources, LLC.
Location:	Approximately 15.06 acres bounded by W. Tyvola Road, Yorkmont Road, and Billy Graham Parkway
Center, Corridor, or Wedge:	Center
Request:	O-15 (CD) office conditional to O-2 (CD) office conditional district

Summary

This petition proposes to update the zoning and amend the conditions for the Coliseum Centre office development. The amendment will allow the construction of structure parking.

History

As a part of rezoning petition 88-31, “Restrictive Covenants” were established for the subject property. These “covenants” have not been submitted as a part of this rezoning petition. If the rezoning is approved as submitted, the “covenants” will no longer be enforced by the City. The petitioner should be aware that if these “covenants” were filed with the Register of Deeds, they may still be enforceable through the judicial system.

Consistency and Conclusion

The proposed request is consistent with the *Southwest District Plan* and is appropriate for approval upon the resolution of the outstanding site plan issues.

Existing Zoning and Land Use

Petition 2003-041 rezoned the former coliseum site to allow a mixed-use development. Petition 2007-082 modified the 2003 rezoning to allow up to 200,000 square feet of retail, two hotels with no more than 350 rooms, up to 400,000 square feet of commercial (office) development and up to 2,500 attached, multi-family or detached single-family residential units. Other properties surrounding the Coliseum Centre are zoned a mix of office, industrial, business park and single family residential. Existing land uses include office, hotel, restaurant, and vacant land. The site is bounded by Billy Graham Parkway on the north and was originally rezoned in 1988 (88-31).

Rezoning History in Area

Prior to the 2003 rezoning of the coliseum property, the most recent rezoning in the area immediately around the petitioned site was for the property located on the northeast corner of Tyvola Road and Billy Graham Parkway. The property was rezoned to allow the development of an office complex and the future home of Billy Graham Evangelical Association.

Public Plans and Policies

The *Southwest District Plan* recommends the area around Billy Graham Parkway and West Tyvola Road continue to be developed for high quality office park developments. This plan was updated by the *Westside Strategic Plan* (2000), however no site-specific recommendations were made for the subject parcel.

Proposed Request Details

The site plan accompanying this petition indicates that no additional building square footage will be added. The proposed parking deck will include 1,457 parking spaces and will be 5 (five) levels.

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 Center 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

Given that there is not an increase in the development right of the site; CDOT feels that there should only be minor impacts to the transportation system resulting from this rezoning. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- The site plan needs to provide an internal system of 5-foot or wider sidewalks that connect building entrances to sidewalks along Yorkmont Road and the existing sidewalk on Yorkmont Road needs to be extended to the Billy Graham Parkway controlled access fence.

- The NCDOT State Route or Highway number needs to be labeled for each Billy Graham Parkway and for Yorkmont Road.

CATS. CATS does not have comments on this petition.

Storm Water. Storm Water Services indicates has no comments at this time.

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

Outstanding Issues

Land Use. The request is consistent with the *Southwest District Plan* which recommends Office Development for the subject parcel. This petition is appropriate for approval from a land use perspective.

Site plan. The petitioner has agreed to make the following site plan changes:

- The uses should be limited to office uses – not all uses allowed in the O-2 district.
- The parking deck elevations should be shown as a part of the site plan.
- The 50-foot buffer along Tyvola Road should be labeled as undisturbed.
- The site plan should indicate if the existing trees to the south of the proposed parking deck and between parking rows are to remain.
- A note should be added that the petitioner reserves the right to establish a parking ratio that is less than 5.13 spaces per 1000 square feet provided that zoning regulations are met.
- Under note 1(b) the last portion of the last sentence (“and areas devoted to uses and structures accessory to the uses on the Site”) should be removed. Accessory structures are counted as part of the gross floor area.
- Sidewalk connections should be provided from each building to the existing sidewalk along Yorkmont Road.

The following site plan issues are outstanding:

- The petitioner notes that the maximum floor area devoted to office and ancillary uses will be reduced to 310,000 square feet with the structured parking area not included in that total. However the site plan shows two existing buildings with 283,834 square feet. The site plan should show the location of the remaining 26,166 square feet.
- The Petitioner has indicated that the revised site plan will show two alternate locations for the parking deck. Staff reserves the right to comment on this change to the plan once it is submitted.