

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2008-084

Property Owner: Northside Baptist Church

Petitioner: Pegasus Tower Company, LTD.

Location: Approximately .42 acres located on the north side of Equipment Drive between Jeremiah Road and Mineral Springs Road

Center, Corridor, or Wedge: Wedge

Request: INST (CD) SPA, institutional conditional district site plan amendment

Summary

This petition proposes a site plan amendment to allow the installation of a communication tower and associated ground equipment and facilities.

Consistency and Conclusion

The proposed request is consistent with the *Northeast District Plan* which recommends institutional uses for the site. Upon resolution of the outstanding site plan issues, this petition is considered appropriate for approval.

Existing Zoning and Land Use

The properties located on the north side of Interstate 85 are zoned single family residential, institutional, and business. Uses include the Northside Baptist Church, residential homes, and vacant land.

Rezoning History in Area

The most recent rezoning in the area was petition 2008-23 for approximately 28 acres located to the west of the petitioned site. The property was rezoned from BP, business park to I-1(CD), for the development of 8.693 acres allowing uses in the I-1 zoning district and 20.037 acres of B-2 (CD) with up to 110,000 square feet of sales of truck chassis and parts (prohibiting sales on Sundays), truck repair and servicing, and any accessory uses as permitted in the B-2 zoning district.

Public Plans and Policies

The *Northeast District Plan* (1996) recommends institutional land uses for the site.

Proposed Request Details

The site plan associated with this petition shows the proposed location of a 160-foot tall monopole communication tower and its associated facilities. Access is provided from Equipment Drive and a 75-foot buffer is shown along the adjacent property line.

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.

CDOT has the following specific comments that are critical to their support of the rezoning petition:

The driveway needs to intersect Equipment Drive perpendicular and not at a skew as shown.

CATS. CATS did not comment on this petition.

Storm Water. Storm Water Services had no comments on this petition.

LUESA. A stream segment located on the subject property drains greater than or equal to 300 acres and less than 640 acres. According to the City of Charlotte Zoning Ordinance, Chapter 12, Part 8-Surface Water Improvement and Management (S.W.I.M.) Stream Buffers, Section 12.804, *Buffer Standards*, streams meeting this criterion are required to have buffers 50 feet in width on both sides of the stream measured from the top of the bank.

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

Outstanding Issues

Land Use. The request is consistent with the *Northeast District Plan* recommendation of institutional land uses.

Site plan. The following site plan issues are outstanding:

The site plan should include site development notes showing:

- the existing zoning;
- the proposed zoning;
- the acreage;
- the type of tower;
- proposed height;
- number of carriers the tower will accommodate (minimum of three required by ordinance); and,
- the concealment standards of Section 12.108(8) (j).