

REQUEST	Current Zoning: MUDD(CD), mixed use development district, conditional Proposed Zoning: MUDD(CD) SPA, mixed use development district, conditional, site plan amendment
LOCATION	Approximately 1.89 acres located on the south side of Fairview Road between Park South Drive and J. A. Jones Drive.
CENTER, CORRIDOR OR WEDGE	Center
SUMMARY OF PETITION	This rezoning request proposes to construct an additional 17-space parking lot that was not included in the original rezoning. Two phases are proposed. Phase 1: Construct parking lot to serve two existing buildings. Phase 2: Demolish one building, and construct a new building.
Property Owner	Fairview Plaza Associates Limited Partnership
Petitioner	Fairview Plaza Associates Limited Partnership
Agent/Representative	John Carmichael
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend Approval of this petition, based upon the following modifications: Parking calculations demonstrate off-site parking is available. Clear glass will be provided on ground floors. Correct building square footages have been provided. Staff has withdrawn requests for a solid screening wall and a traffic island.
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VOTE	Motion/Second: Johnson/Randolph
	Yeas: Allen, Griffith, Howard, Johnson, Lipton, Randolph, Rosenburgh
	Nays: None
	Absent: None
	Recused: None

ZONING COMMITTEE DISCUSSION

Mr. Drake reviewed the petition and noted it was a site plan amendment that seeks to reduce the building square footage to reflect that the square footage of Existing Building '1' is less than what was approved. The site plan amendment also adds a surface parking lot that was not on the originally approved site plan. It was noted that CDOT has withdrawn their request for a traffic island along Park South Drive. Also, parking data has been provided by the petitioner that shows enough off-site parking is being provided to meet the parking requirements. One Commissioner inquired why the low, decorative screen wall is no longer being requested along the proposed parking area fronting Fairview Road. Mr. Drake responded that the large maturing shrubs will be sufficient as a screen.

STATEMENT OF CONSISTENCY

This petition is found to be consistent with the *South Park Small Area Plan* and to be reasonable and in the public interest, by unanimous vote of the Zoning Committee (motion by Commissioner Lipton second by Johnson)

STAFF OPINION Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Phase 1 consists of the construction of a 17 space parking lot to serve the two existing buildings.
- Phase 2 proposes to demolish an existing 5,400 square foot office building and construct a 17,000 square foot building that contains office, retail and restaurant uses with rooftop dining.

Public Plans and Policies

SouthPark Small Area Plan (adopted 2000). The land use recommendation for the subject property was updated by the approval of petition 2006-074. The approved conditional site plan associated with the petition indicates a mixed-use development of office, retail and restaurant on this site.

STAFF RECOMMENDATION (Updated)

Staff recommends approval of this petition. The proposed rezoning is consistent with the *South Park Small Area Plan*.

PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

CDOT: This petition does not seek to change development uses that would affect trip generation.

Charlotte Fire Department: No issues.

CATS: Issue resolved.

Connectivity: Connectivity is not an issue.

Schools: The school planning staff did not comment on this request.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

Storm Water: No issues.

LUESA: Issue resolved.

Site Design: No issues.

RESOLVED ISSUES

1. The petitioner has agreed via email that they will commit to install a bus-waiting pad as requested by CATS.
2. The petitioner has added a note on the site plan that they will submit a Solid Waste Management Plan prior to initiating demolition.

3. The site must be developed in accordance with the PCCO therefore a note indicating compliance is not needed.

OUTSTANDING ISSUES

1. None

Attachments Online at www.rezoning.org

Pre-Hearing Staff Analysis
Application Form
Site Plan
CATS Review
CDOT Review
Storm Water Review
Community Meeting Report and Sign-In Sheet

Planner: Evan Lowry (704) 336-8323