

REQUEST	Current Zoning: O-2, office Proposed Zoning: MUDD-O, mixed-use development district, optional
LOCATION	Approximately .877 acres located along North Sharon Amity Road across from Colwick Road.
CENTER, CORRIDOR OR WEDGE	Center
SUMMARY OF PETITION	This petition proposes to reuse an existing building to accommodate office, retail, restaurant and/or other commercial other uses on the property as permitted in MUDD, with optional provisions to allow existing signage, sidewalk, and planting strip to remain.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of all outstanding site plan issues. The petition is inconsistent with the <i>South District Plan</i> . However, the plan identifies this property as part of Cotswold designated community mixed-use area (1,000,000 square feet retail/office) generally located at the intersection of Sharon Amity Road and Randolph Road. In addition, an office and church are located to the east of the rezoning site and west of residential development. These office and church uses will serve to provide a transition between this proposed commercial expansion and the residential neighborhood.
Property Owner	TMV Partners on Sharon Amity Road, LLC
Petitioner	TMV Partners on Sharon Amity Road, LLC c/o Thomas and Melissa Vandiver
Agent/Representative	John Carmichael/Laura Simmons, K & L Gates, LLP
Community Meeting	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Use of existing building for office, retail, restaurant and/or other commercial uses along with accessory uses as permitted in the MUDD zoning district.
- Excludes fast food restaurants with drive through services and bars/nightclubs.
- No building expansions.

This site plan contains the following optional requests:

- Option to allow existing site signage to remain and copy on signage to change according to various tenants' needs.
- Option to allow existing sidewalk and planting strip to remain.

- **Existing Zoning and Land Use**

The subject site is presently occupied by an office building. The surrounding properties are zoned R-3, R-8MF(CD), R-17MF, O-1, O-2, B-1, B-1(CD) and CC and are developed with single family homes, multi-family developments, office, retail and commercial uses.

- **Rezoning History in Area**

Recent rezonings in the area include:

- Rezoning Petition 2006-087 for the majority of the Cotswold Shopping Center, from B-1SCD to CC to add a multi-tenant building at the entrance to the center from Randolph Road.

- **Public Plans and Policies**

- The *South District Plan* (1993) recommends institutional uses on this property.
 - The petition is inconsistent with the *South District Plan*.
-

PUBLIC INFRASTRUCTURE (see full department reports online)

- **Vehicle Trip Generation:**

Current Zoning: 300 trips per day.
Proposed Zoning: 1,700 trips per day.

- **CDOT:** Requests the petitioner address the following on the site plan:
 1. Convey right-of-way in fee simple title to meet the requirement that North Sharon Amity Road have a minimum 100-foot right-of-way measured from centerline.
 2. Seek a right-of-way encroachment agreement for the proposed outdoor dining as it will fall within the proposed right-of-way.
 3. Commitment from the petitioner to shorten or lengthen the existing median in North Sharon Amity Road (during the driveway permitting process) if deemed necessary.
 - **Charlotte Fire Department:** No comments received.
 - **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Schools:** CMS does not comment on non-residential proposals.
 - **Park and Recreation:** No comments received.
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Storm Water:** No issues.
 - **LUESA:** No issues.
 - **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
 - Minimizes impacts to the natural environment by the reuse of an existing structure.
-

OUTSTANDING ISSUES

- The petitioner should:
 1. Ensure site area identified under Site Data (.877 acres) is consistent with figure provided under General Provisions (“approximately .88 acre”) on site plan.
 2. Provide a minimum five-foot sidewalk connection from the building to the public sidewalk along North Sharon Amity Road.
 3. Identify existing bus stop.
 4. Address all CDOT comments.
-

Attachments Online at www.rezoning.org

- Application
- CATS Review
- CDOT Review
- Community Meeting Report
- LUESA Review
- Site Plan
- Storm Water Review

Planner: Claire Lyte-Graham (704) 336-3782