

REQUEST	Proposed Zoning: UMUD-O, SPA, uptown mixed use district, optional, site plan amendment
LOCATION	Approximately 0.54 acres located on the northern corner at the intersection of South Caldwell Street and East Third Street.
CENTER, CORRIDOR OR WEDGE	Center
SUMMARY OF PETITION	This petition proposes a site plan amendment to allow all uses in UMUD.
Property Owner	Small Brothers Charlotte, LLC
Petitioner	James Small
Agent/Representative	Charles M. McClure
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modification:</p> <ol style="list-style-type: none"> The petitioner has shown the reservation of pedestrian sight triangles at the existing/proposed East Third and Caldwell Streets entrances as well as warning signs to alert pedestrians of traffic exiting the parking garages.
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VOTE	<table border="0"> <tr> <td>Motion/Second:</td> <td>Dodson/Allen</td> </tr> <tr> <td>Yeas:</td> <td>Allen, Dodson, Griffith, Randolph, Simmons and Walker</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Rosenburgh</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Dodson/Allen	Yeas:	Allen, Dodson, Griffith, Randolph, Simmons and Walker	Nays:	None	Absent:	Rosenburgh	Recused:	None
Motion/Second:	Dodson/Allen										
Yeas:	Allen, Dodson, Griffith, Randolph, Simmons and Walker										
Nays:	None										
Absent:	Rosenburgh										
Recused:	None										
ZONING COMMITTEE DISCUSSION	Staff presented this item to the Committee. There was no discussion of this petition.										
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the <i>Center City 2010 Vision Plan</i> and to be reasonable and in the public interest, by a 6-0 vote of the Zoning Committee (motion by Commissioner Walker seconded by Commissioner Allen).										
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:
 - Retention of the originally approved optional provisions from Petition 2001-135.
 - Expansion of uses to allow all uses within the UMUD district will be permitted.
 - Re-installation of street trees removed by previous developer.
 - Restrictions related to location and time of loading and unloading associated with the building.
 - Requirement that any use requiring check-in will occur on the second floor (first parking level) of the parking deck.

- Limitation on the location and size of service vehicles.
 - Commitment to work with CDOT during construction plan approval process to resolve ingress/egress driveway circulation issues and pedestrian site issues.
 - **Public Plans and Policies**
 - The *Center City 2010 Vision Plan* (2000) envisions the Uptown as having a variety of living, entertainment, and cultural facilities.
 - **STAFF RECOMMENDATION (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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PUBLIC INFRASTRUCTURE UPDATES (see full department reports online)

- **CDOT:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **CATS:** No issues.
 - **Connectivity:** No issues.
 - **Neighborhood and Business Services:** No issues.
 - **Schools:** CMS does not comment on UMUD rezoning petitions because of the wide range of uses permitted.
 - **Park and Recreation:** No comments received.
 - **Urban Forestry:** No issues.
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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 building on an infill lot.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application Form
- CATS Review
- CDOT Review
- Community Meeting Report
- LUESA Review
- Neighborhood and Business Services Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review
- Urban Forestry

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