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| REQUEST | Proposed Zoning: CC, SPA, commercial center, site plan amendment |
| LOCATION | Approximately 16.11 acres located on the south side of Fairview Road and across from Cameron Valley Parkway. |
| SUMMARY OF PETITION | The petition proposes to add 10,000 square feet of non-residential floor area to an existing mixed-use development while maintaining original conditions for site development. |
| PROPERTY OWNER | Phillips Place Partner, LLC and Phillips Place Hotel Investor, LLC |
| PETITIONER | Phillips Place Partners, LLC |
| AGENT/REPRESENTATIVE | Walter Fields, Walter Fields Group |
| COMMUNITY MEETING | Meeting is required and has been held. Report available online. |
| STATEMENT OF CONSISTENCY | This petition is found to be consistent with the <i>South Park Small Area Plan</i> and in the public interest by a unanimous vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Griffith). |

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| ZONING COMMITTEE ACTION | The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modification: 1. Staff has removed the request to identify proposed solid waste and recycling location(s) on the site plan as the current note describing method of screening suffices, and the site plan as proposed shows no building footprints or parking spaces. |
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| VOTE | Motion/Second: | Fallon/Phipps |
| | Yeas: | Allen, Fallon, Griffith, Johnson, Phipps and Zoutewelle |
| | Nays: | None |
| | Absent: | None |
| | Recused: | None |
| ZONING COMMITTEE DISCUSSION | Staff presented this request to the Zoning Committee indicating that staff had removed the one outstanding request to show the location of the proposed refuse and recycling area(s). The request was removed since the site plan only depicted building envelopes and not footprints or actual parking spaces. There was no discussion of this petition. | |
| 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

- **Background**
 - The rezoning site is part of a larger 34.78-acre parcel rezoned from R-3 to CC in 1994 (Rezoning Petition 1994-84A) to accommodate Phillips Place. The original petition allowed up to 120,000 square feet of retail, a 100-room inn, and up to 402 residential units. The rezoning site consists of the retail, inn, and movie theatre uses and 32 of the existing 402 residential units.
 - Rezoning Petition 1996-029 approved a site plan amendment allowing an increase in total retail area to 130,000 square feet and an increase in the number of rooms in the inn to 130.
 - There have been subsequent administrative approvals for an alternate buffer plan; to allow a 1,000 square-foot increase in retail area in order to accommodate the expansion of an existing restaurant and proposed outdoor dining area; and to allow rooftop dining at another restaurant.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Add 10,000 square feet of non-residential floor area to the current 131,000 square feet of retail approved as part of rezoning petition 1996-029 and a subsequent administrative approval. The additional floor area will be located completely within the existing building envelopes as shown on the currently approved site plan.
 - Allow uses on site (including accessory uses) as permitted in the CC district, either by-right or under prescribed conditions, except drive-thru restaurants.
- **Public Plans and Policies**
 - The *South Park Small Area Plan* (2000) recommends commercial or a mixture of commercial and residential uses on the subject property.
 - This petition is consistent with the *South Park Small Area Plan*.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Department of Transportation:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

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

- Application
- Pre-Hearing Staff Analysis
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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