
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.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issue. This petition is consistent with the <i>South Park Small Area Plan</i> .
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.

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 amendment contains the following changes:

 - 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.
- **Existing Zoning and Land Use**
 - The subject site is part of the Phillips Place mixed-use development consisting of retail uses, a movie theatre, a hotel, and 32 units of a larger 402 multi-family unit development, and is surrounded by a mix of single-family, multi-family, office and retail uses on properties zoned O-1(CD), O-2, O-6(CD), O-15(CD), B-1, R-15MF(CD), R-12MF(CD), CC, UR-2(CD), MUDD-O, and MUDD(CD). In addition, a Duke Power substation facility on property zoned R-3 abuts the rezoning site to the southeast.
- **Rezoning History in Area**
 - Several recent petitions (2006-022, 2006-042, 2010-053 and 2010-054) have approved rezoning properties to MUDD-O to allow a mix of residential, retail, office and professional businesses uses.

- **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*.
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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.
 - **Vehicle Trip Generation:**
Current Zoning: 9,300 trips per day.
Proposed Zoning: 9,700 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency (Storm Water Services):** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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.

OUTSTANDING ISSUES

- The petitioner should:
 1. Identify proposed solid waste and recycling location(s) on the site plan.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- 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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