

**ZONING COMMITTEE
RECOMMENDATION
June 28, 2006**

Rezoning Petition No. 2006-042

Property Owner: Allen Tate, Jr. and Charlotte Housing Authority, et al

Petitioner: Pappas-Tate, LLC

Location: Approximately 7.1 acres south of Fairview Road and east of Sharon Road

Request: Change from R-15 MF(CD) (conditional multi-family residential) and O-2 (office district) to MUDD-O (mixed-use development district – optional)

Action: The Zoning Committee voted unanimously to recommend a **DEFERRAL** of this petition to a special meeting on July 17, 2006.

Vote:

Yeas:	Carter, Cooksey, Farman, Ratcliffe and Sheild
Nays:	None
Absent:	Howard, Hughes

Summary of Petition

This petition seeks approval for a mixed-use development consisting of up to 79,700 square feet of retail, commercial and/or restaurant uses, and up to 117,600 square feet of office space. In addition, a hotel of up to 120 rooms is proposed, along with up to 154 multi-family residential units. There is an ability to convert both non-residential space and hotel rooms into additional residential units. The site plan accompanying this petition contains these additional provisions: The site plan accompanying this petition contains these additional provisions:

- Vehicular access is from four points on Sharon Road, one of which is right-in only, one is right-out only, another is right-in, right-out and the fourth is a signalized intersection. On Fairview Road there is one right-in drive and Savings Place is right-in, right-out. The roads would be private except that the north end of Savings Place may remain public. If a portion is left public it would be terminated in a hammerhead turnaround. Diagonal parking is proposed along these roads.
- There are two public open space amenities, both along Savings Place. They total approximately 7,275 square feet or about 4.9% of the site. One existing tree is to be preserved.
- There are two parking structures to serve the site; one is centrally located with a smaller underground facility located along the southern edge of the site.

- Requested “optional” provisions include:
 - Parking and maneuvering between the building and Fairview Road
 - Reduction of the front setback on interior streets to 10 feet, including tree wells. Tree wells would be substituted for the planting strip.
 - For that portion of the site near Fairview Road the MUDD height limit would be exceeded to allow buildings up to 150 feet in height. Buildings in the southern end of the site would be limited to 55 feet in height.
 - Two drive-thru windows would be allowed but not for restaurants. For banks, a maximum of two drive-thru lanes would be allowed.
 - Signage would be per a Sign Package, which is still being negotiated.
- A vehicular stub connection will be extended to the Long’s Cleaners site, subject to that property owner’s approval.
- A pedestrian connection will be extended to the Louisburg Square project currently under construction.
- There is an ability to convert both non-residential space and hotel rooms into additional residential units. Shifting of dwelling units from the Live Oaks companion petition (2006-22) is also permitted.

Zoning Committee Discussion/Rationale

Keith MacVean noted that petitioners requested a deferral to continue to work on transportation improvements but still wanted a decision on July 17th.

Vote

Upon a motion made by Carter and seconded by Farman, the Zoning Committee unanimously recommended to defer this petition until a special meeting on July 17, 2006.