

<b>REQUEST</b>	Current zoning: MUDD(CD), mixed use development district, conditional Proposed zoning: MUDD(CD) SPA, mixed use development district, conditional, site plan amendment
<b>LOCATION</b>	Approximately 1.89 acres located on the south side of Fairview Road between Park South Drive and J. A. Jones Drive.
<b>CENTER, CORRIDOR OR WEDGE:</b>	Center
<b>SUMMARY OF PETITION</b>	This rezoning request proposes to construct an additional 17-space parking lot that was not included in the original rezoning. Two phases are proposed, with Phase II having an alternative scenario: <ul style="list-style-type: none"> <li>• Phase I: Construct temporary parking lot to serve two buildings.</li> <li>• Phase II: Demolish one building, remove temporary parking, and construct a new building.</li> <li>• Phase II Alternative: Demolish one building, keep temporary parking, and construct a new building.</li> </ul>
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of the Phase II Alternative of this petition. The Phase II Alternative includes the construction of a 17-space parking lot and the orientation of the proposed 17,000 square foot building toward J. A. Jones Drive. The Phase II Alternative is appropriate for approval because in this scenario the temporary 17-space parking lot becomes permanent. This will lessen the impact on parking, which would occur as a result of the removal of the 17-space parking lot in Phase 2. This request is consistent with the <i>South Park Small Area Plan</i> .
<b>Property Owner</b>	Fairview Plaza Associates Limited Partnership
<b>Petitioner</b>	Fairview Plaza Associates Limited Partnership
<b>Agent/Representative</b>	John Carmichael
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

## PLANNING STAFF REVIEW

- **Proposed Request Details**
  - This is a site plan amendment that proposes two phases of development:
    - Phase I consists of the construction of a temporary 17 space parking lot to serve the two existing buildings.
    - Phase II proposes to remove the temporary 17 space parking lot and demolish an existing 5,400 square foot office building and construct a 17,000 square foot building that contains office, retail and restaurant uses with rooftop dining.
    - Phase II-Alternative proposes to keep the 17 space parking lot constructed in Phase I, demolish the existing 5,400 square foot office building and construct a 17,000 square foot building that contains office, retail and restaurant uses with rooftop dining.
- **Existing Zoning and Land Use**  
The surrounding properties are zoned R-43MF, O-1, O-3, O-3(CD) and MUDD-O and are occupied by residential, office and retail uses.
- **Rezoning History in Area**
  - The subject property was rezoned MUDD(CD) under petition 2006-074 to allow a mixed-use development. Specifically, the construction of a 17,000 square foot building, an 18,000 square foot building, outdoor dining space in the amount of 2,500 square feet and 47 parking spaces.

Property to the north was rezoned MUDD-O under petition 2004-142 to allow a mixed-use development of office, residential, retail and restaurant.  
Property to the east was rezoned MUDD-O under petition 2006-166 to allow a mixed-use development of residential, retail, restaurant and hotel use.

### **Public Plans and Policies**

***SouthPark Small Area Plan*** (adopted 2000). The land use recommendation for the subject property was updated by the approval of petition 2006-074. The approved conditional site plan associated with the petition indicates a mixed-use development of office, retail and restaurant on this site.

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### **PUBLIC INFRASTRUCTURE** (see full department reports online)

**Vehicle Trip Generation:** This petition does not seek to change development uses that would affect trip generation.

**CDOT:** A traffic island should be constructed along Park South Drive limiting that driveway to right-turn-only access.

**Charlotte Fire Department:** The Charlotte Fire Department did not comment on this request.

**CATS:** Requests the construction of a concrete waiting pad on Fairview Road at the location of the existing bus stop.

**Connectivity:** Connectivity is not an issue.

**Schools:** This non-residential request will not impact the school system.

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### **ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

**Storm Water:** The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance

**LUESA:**

Development of this site may require submission of an asbestos Notification of Demolition and Renovation due to possible demolition or relocation of an existing structure or renovation of a load-bearing wall in an existing structure.

Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal, and concrete generated during demolition and construction activities.

**SITE DESIGN:**

Reduces ground level temperatures by using light colored roofing that reflects heat.  
Minimizes impacts to the City's tree canopy by preserving existing 24" and 60" oaks.

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### **OUTSTANDING ISSUES**

1. The square footage for Existing building Envelope "A" should be changed from 18,000 SF to 12,442 SF since Building 1 is already built-out. The development totals square footage list on sheet TDS.1.0 should be modified accordingly.
2. The petitioner should show a low, decorative screen wall along the proposed parking area fronting Fairview Road, in addition to the 58 large maturing shrubs.
3. The petitioner should show parking calculations for the proposed development.

4. The petitioner should add the following note: "Building walls facing Fairview Road will include windows and doors with clear glass. Any obstruction to the glass to block out kitchens, storage areas, etc. will consist of artwork that must be approved by the Charlotte-Mecklenburg Planning Staff. Spandrel glass will not be permitted."
  5. The petitioner should add the following note: "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance."
  6. The petitioner should show a traffic island along Park South Drive that limits that driveway to right-turn-only access.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

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

**Planner:** Evan Lowry (704) 336-8323