

**ZONING COMMITTEE
RECOMMENDATION
April 26, 2006**

Rezoning Petition No. 2006-037

Property Owner: Samuel and Ramona Gardner

Petitioner: Charlotte-Mecklenburg Planning Commission

Location: Approximately 1.52 acres located south of the intersection of W. Brookshire Fr. and Interstate 77

Request: I-2, PED general industrial pedestrian overlay to I-2(CD) PED, general industrial, pedestrian overlay conditional district

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Vote:

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

Summary of Petition

The Charlotte-Mecklenburg Planning Commission seeks to correctively rezone the parcels identified to support the goals of the *West End Land Use and Pedscape Plan* adopted in November 2005. The property currently zoned I-2, is being used for general industrial and does not pose a nuisance to the community. However, the property could be sold or used for a potentially noxious use under the I-2 district. The West End Land Use and Pedscape Plan recommends a corrective rezoning to I-2 CD to allow the current business to remain compliant while restricting potentially noxious uses on this site in the future. The West End Land Use and Pedscape Plan recommends multi-family on this site.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition noting that it is located in the West End Land Use and Pedscape. Redevelopment of the site should not include the more noxious uses in the I-2 district such as asphalt plants, abattoirs, etc. The site plan associated with this petition eliminates such uses while allowing many alternate uses for the property.

Statement of Consistency

A motion was made by Howard and seconded by Ratcliffe finding this petition consistent with the West End Land Use and Pedscape Plan. The Zoning Committee unanimously approved this motion.

Vote

Upon a motion made by Cooksey and seconded by Howard, the Zoning Committee unanimously to recommend approval of this petition.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.