

**ZONING COMMITTEE
RECOMMENDATION
November 29, 2006**

Rezoning Petition No. 2006-144

Property Owner: B & E Properties, LLC

Petitioner: B & E Properties, LLC

Location: Approximately 0.90 acres located on the northwest corner of Hawthorne Lane and E. 5th Street

Request: O-2 office to MUDD (CD) mixed-use development district, conditional

Action: The Zoning Committee unanimously recommended

Vote: Yeas: Carter, Cooksey, Loflin, Randolph, Ratcliffe, Sheild and Simmons

Nays: None

Absent: None

Summary of Petition

This petition seeks to rezone approximately .9 acres of land located on the northwest corner of Hawthorne Lane and E. 5th Street, from O-2 Office to MUDD (CD) mixed-use development district, conditional district for the construction of a maximum 19,000 square feet medical office building with associated parking and service areas.

- Elevations have been provided for a two story brick building with cupola have been provided.
- Easements will be granted to the City of Charlotte for any sidewalks built outside of existing public right-of-way.
- A low masonry wall with ornamental railing will be provided along East 5th Street.

Zoning Committee Discussion/Rationale

Mr. MacVean reviewed the petition and noted that the proposed petition is consistent with *The General Development Policies Transit Station Area Principles* and is considered appropriate for approval.

Statement of Consistency

Upon a motion made by Commissioner Simmons and seconded by Commissioner Ratcliffe, the Zoning Committee unanimously found this petition to be consistent with the *General Development Policies – Transit Station Area Principles* and to be reasonable and in the public interest.

Vote

Upon a motion made by Loflin and seconded by Commissioner Ratcliffe the Zoning Committee voted unanimously to recommend approval of this petition with the noted modifications.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.