

**ZONING COMMITTEE
RECOMMENDATION
January 24, 2007**

Rezoning Petition No. 2006 - 156

Property Owner: Fourth Ward Square Assoc.

Petitioner: Fourth Ward Square Assoc.

Location: Approximately 3.54 acres located on the northwest corner of North Graham Street and West 8th Street.

Request: MUDD-O S.P.A., mixed use development district optional site plan amendment

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modification:

- The height along North Graham Street will be limited to 140-feet.

Vote:

Yeas:	Carter, Chiu, Loflin, Randolph, Ratcliffe, Sheild and Simmons
Nays:	None
Absent:	None

Summary of Petition

This request proposes to amend an existing MUDD-O site plan to increase the allowable building height from 120 feet to 140 feet for buildings “C” and “D”. The maximum heights for buildings “A” and “B” will remain the same at 320 feet. The plan still allows 424 residential units (440,000 square feet), 20,000 square feet of commercial uses, and a 250,000 square foot parking garage. The optional provision will be utilized to allow sidewalks along roadways to meander to save existing trees and to allow building heights in excess of 120 feet.

Zoning Committee Discussion/Rationale

Mr. MacVean reviewed the petition and noted that the proposed petition is consistent with the *Fourth Ward Plan* and that there are no outstanding issues. The Zoning Committee after minimal discussion felt this height increase was a minor increase over the presently approved plan.

Statement of Consistency

Upon a motion made by Simmons and seconded by Ratcliffe the Zoning Committee unanimously found this petition to be consistent with the *Fourth Ward Plan* and to be reasonable and in the public interest.

Vote

Upon a motion made by Carter and seconded by Sheild the Zoning Committee voted unanimously to recommend approval of this petition with the noted modification.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.