

**ZONING COMMITTEE
RECOMMENDATION
July 25, 2007**

Rezoning Petition No. 2007-079

Property Owner:	Construction Brick & Tile Company Carpenter Investment Properties, LLC
Petitioner:	Cambridge Properties Charter Properties
Location:	Approximately 74.4 acres located on the south side of North Tryon Street and the east side of Pavilion Boulevard
Center, Corridor or Wedge:	Corridor
Request:	B-1 (neighborhood business), B-1(CD) (neighborhood business, conditional) and R-3 (single family residential, up to 3 dwelling units per acre) to NS (neighborhood services)
Action:	The Zoning Committee recommended DEFERRAL of this petition to the September 26, 2007 Zoning Committee meeting.
Vote:	
Yeas:	Howard, Johnson, Lipton, Loflin, Radcliffe and Rosenburgh
Nays:	None
Absent:	Sheild

Summary of Petition

This petition proposes to rezone approximately 74.4 acres to accommodate up to 304 multi-family residential units at a density of 5.54 units per acre, and a maximum 100,000 square foot neighborhood center containing retail and service uses. The proposal is consistent with the *Northeast Area Plan* (2000), which recommends retail and residential (up to 8 dwelling units per acre) land uses for this site.

Zoning Committee Discussion/Rationale

Claire Lyte-Graham recommended that the petition be deferred to the special September 4, 2007 Zoning Committee meeting requested by the petitioner. The Zoning Committee addressed the petitioner on the recommended deferral. John Carmichael, the agent for the petition, concurred with deferral and noted the need for the petition to be considered on September 4th due to contractual obligations. Mr. Carmichael felt confident that any outstanding traffic issues as related to the Traffic Study could be addressed by the September 4 meeting. Rick Grochoske with CDOT concurred that traffic issues could be resolved by that date.

Vote

Upon a motion made by Commissioner Rosenburgh and seconded by Commissioner Johnson, the Zoning Committee voted unanimously to recommend deferral of this petition to the regular September 26, 2007 Zoning Committee meeting.

Staff Opinion

Staff concurs with the decision of the Zoning Committee to defer this petition.