

**ZONING COMMITTEE
RECOMMENDATION
June 27, 2007**

Rezoning Petition No. 2007-088

Property Owner: Charlotte Mecklenburg Board of Education and the City of Charlotte

Petitioner: Spectrum investment Services, Inc.

Location: Approximately 11.33 acres located on the west side of S. McDowell Street between E 2nd Street and E 3rd Street

Center, Corridor or Wedge: Center

Request: UMUD, uptown mixed-use district to UMUD-O, uptown mixed-use district optional

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

Vote:

Yeas:	Chiu, Lipton, Loflin, Ratcliffe, Sheild and Simmons
Nays:	None
Absent:	Rosenburgh

Summary of Petition

This petition proposes to rezone approximately 11.33 acres for the development of a mixed-use complex. The site plan associated with this petition allows any use permitted in the UMUD district. The site consists of three building/parking envelopes and a future park envelope. The optional provisions requested are for:

- Vehicular/truck maneuvering, loading in area and Street B
- Private streets
- Setbacks and sidewalks
- Parking on one side of some streets and not parking on one street
- Signage
- Easements/air rights for buildings along Linear Park
- Modifications with the authority of Planning Director.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition and stated that optional provisions deal with public streets within the site. A portion of the streets will be private and if they cannot be designed to meet public street standards then the petitioner has the option of making the private. If they are public, the optional request will also cover a truck dock for building A-2 that will have to maneuver in the street right-of-way. Other optional requests include the encroachment of steps into the setback; an increase in the sign height from 7-feet to 20-feet; relief from parallel parking recommended by the Center City Plan.

Staff is opposed to private streets and will be working to eliminate them if possible. Staff did not want to impose the storm water measures just because the petitioner is asking for maneuvering in the public streets. For this reason, storm water regulations will apply only if the site is not developed in the next two years.

Statement of Consistency

Upon a motion made by Commissioner Ratcliffe and seconded by Commissioner Sheild the Zoning Committee unanimously found this petition to be consistent with the Center City 2010 Vision Plan and reasonable and in the public interest.

Vote

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

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.