

**ZONING COMMITTEE
RECOMMENDATION
December 19, 2007**

Rezoning Petition No. 2007-111

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.

Center, Corridor or Wedge: Center

Request: MUDD-O (HD-O) S.P.A., mixed use development district, optional, historic district overlay site plan amendment

Action: The Zoning Committee voted unanimously to recommend **APPROVE** this petition with the following modifications:

- The petitioner has deleted all references to the previous petition.
- The petitioner has added storm water notes to the site plan.

Vote:

Yeas:	Howard, Johnson, Lipton, Loflin, Randolph and Rosenburgh
Nays:	None
Absent:	Sheild
Recused:	None

Summary of Petition

This request proposes to amend an existing MUDD-O site plan to increase the allowable commercial square footage from 20,000 to 30,000 and the number of residential units from 424 to 550. The optional provision will be utilized to allow the sidewalks along roadways to meander to save existing trees and to allow a maximum building height of 140-feet, which is a reduction from 320-feet presently approved.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed this petition noting that the petitioner had addressed all of the outstanding site plan issues and that the request is consistent with current land use recommendations in the *Fourth Ward Plan*.

Statement of Consistency

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

Vote

Upon a motion made by Commissioner Randolph and seconded by Rosenburgh the Zoning Committee voted unanimously to recommend APPROVAL of this petition as modified.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.