

**ZONING COMMITTEE
RECOMMENDATION
December 19, 2007**

Rezoning Petition No. 2007-137

Property Owner: South End Silos, LLC

Petitioner: South End Silos, LLC

Location: Approximately 1.50 acres located on the west side of South Boulevard and the south side of Remount Road.

Center, Corridor or Wedge: Corridor

Request: TOD-M, transit oriented development mixed-use to TOD-MO, transit oriented development mixed-use optional.

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

- The petitioner has noted that the multi-use trail will be concrete.
- The petitioner will install a decorative fence, decorative lighting and trees and shrubs along the rail line.
- The petitioner has partially addressed Storm Water Services comments. Storm Water Services would like the petitioner to comply with the Post Construction ordinance when the parking lot is constructed even if that occurs prior to July 1, 2008.

Vote:

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

Summary of Petition

This request would allow the re-use of existing structures on this site for transit oriented development with an option to allow parking between the buildings and the rail line.

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 the *General Development Policies – Transit*

Station Area Principles and the draft *New Bern Transit Station Area Plan*. He also noted that staff feels that the optional request to allow parking between the rail line and the existing building is to be temporary requiring the site to meet all TOD-M requirements as it redevelops.

Statement of Consistency

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

Vote

Upon a motion made by Commissioner Lipton and seconded by Commissioner Randolph the Zoning Committee voted unanimously to recommend APPROVAL of this petition with modifications.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.