

**ZONING COMMITTEE
RECOMMENDATION
January 30, 2008**

Rezoning Petition No. 2008-012

Property Owner: RM 36th Street Investors, LLC

Petitioner: Merrifield Partners. LLC

Location: Approximately .53 acres located on the south side of E. 35th Street between N. Davidson Street and the Norfolk-Southern rail line.

Center, Corridor, or Wedge: Corridor

Request: I-2, general industrial, to MUDD, mixed-use development district

Location: Approximately .53 acres located on the south side of E. 35th Street between N. Davidson Street and the Norfolk-Southern rail line.

Vote: Yeas: Howard, Lipton, Loflin, Randolph, and Rosenburgh

Nays: None

Absent: Johnson

Recused: Sheild

Summary of Petition

This petition seeks to rezone .53 acres to MUDD in NoDa. Allowable uses would include, but are not limited to: automotive service stations, residential, business and general office uses, retail sales, restaurants, institutional uses, and social, fraternal, social service, union and civic organizations.

No site plan is associated with this by-right zoning district.

Zoning Committee Discussion/Rationale

Commissioner Sheild asked to be recused from reviewing this rezoning request due to a potential conflict of interest. Mr. Keith MacVean summarized the rezoning request. There was no additional discussion.

Statement of Consistency

Upon a motion made by Commissioner Lipton and seconded by Commissioner Loflin, the Zoning Committee unanimously found this petition to be consistent with the *North Charlotte District Plan* and the *Northeast Transit Station Area Concept Plan* and reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Randolph and seconded by Commissioner Loflin, the Zoning Committee voted unanimously to recommend APPROVAL of this text amendment.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.