

**ZONING COMMITTEE
RECOMMENDATION
July 30, 2008**

Rezoning Petition No. 2008-101

Property Owner: South End Silos, LLC/CHS Corporation/City of Charlotte

Petitioner: South End Silos, LLC

Location: Approximately 2.95 acres located on the east side of Griffith Street, north of Fairwood Avenue

Center, Corridor, or Wedge: Corridor

Request: I-2, general industrial and TOD-M, transit oriented development mixed use to TOD-MO, transit oriented development mixed use optional

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

- The maximum height has been reduced to 200 feet.
- The plan now indicates a minimum of 20 percent of the total square footage will develop as office.
- Additional building elevations have been added that illustrate the requested 10 foot building step back above the fourth floor.
- The petitioner has corrected the acreage to 2.95 on the site plan.
- Decorative lighting will be installed in the 35-foot setback along the rail line.
- The petitioner has modified the note regarding height to indicate parapets will be included in calculating building height.
- The lighting note has been corrected to indicate fixtures will be shielded with full cut-off.
- The petition number has been added to the site plan.

Vote:

Yeas:	Allen, Griffith, Howard, Lipton, Randolph, and Rosenburgh
Nays:	None
Absent:	Johnson

Summary of Petition

This request proposes to rezone to TOD-MO to allow transit oriented development. The request indicates that a minimum of 20 percent of the development will be devoted to office uses such as retail, office, restaurants, and personal services. The request proposes an option to the TOD-M standard to increase the maximum allowable height from 120 feet to 200 feet.

Zoning Committee Discussion/Rationale

Tom Drake reviewed the petition and indicated that the revised site plan reduces the maximum height to 200 feet and incorporated additional building elevations. He also noted that all of the outstanding site plan issues have been addressed and that this request is consistent with the *New Bern Station Transit Station Area Plan* and the *General Development Policies – Transit Station Area Principles* and appropriate for approval.

Statement of Consistency

Upon a motion made by Commissioner Lipton and seconded by Commissioner Griffith the Zoning Committee unanimously found this petition to be consistent with the *New Bern Station Transit Station Area Plan* and 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 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.