

**ZONING COMMITTEE
RECOMMENDATION
May 24, 2006**

Rezoning Petition No. 2004 - 129

Property Owner: RBC Corporation

Petitioner: RBC Corporation

Location: Approximately 4.7 acres located on several blocks northeast of the intersection of Stonewall and South Church Streets, including a narrow strip on the north side of Stonewall between South Tryon and South College Streets.

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

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

Vote:

Yeas:	Carter, Howard, Hughes, Ratcliffe, and Sheild
Nays:	None
Excused:	Cooksey
Absent:	Farman

Summary of Petition

The Wachovia mixed use project is a unique development of interconnected buildings on three different City blocks. This rezoning request affects each of these three sites. The petition is seeking the following options:

- Reduction in the required setback along Stonewall Street between College and South Tryon Streets from 12 feet to 8 feet.
- Allow underground parking and free air vents to be located in the 12 foot setback along First Street.
- Allow service vehicles to maneuver in the right-of-way of Church Street.
- Allow parking garage east foundation walls to encroach into the 20 foot setback below grade.
- Allow the parking garage west foundation wall to encroachment into the 12 foot setback below grade.

- Allow the parking garage southeast corner to encroach into the 12 foot setback by 1.9 feet at the corner of South Tryon and Stonewall Streets.
- Allow the parking garage southwest corner to encroach into the 12 foot setback by 3 feet at the corner of Stonewall and Church Streets.
- Allow the east elevation of the office tower to encroach between 1 to 3 feet above grade into the 20 foot setback.
- Allow the south elevation of the office tower to encroach up to 5 feet above grade into the 12 foot setback.

Zoning Committee Discussion/Rationale

Staff reviewed the petition and noted that the petitioner has addressed all issues.

Statement of Consistency

Commissioner Howard made a motion to find this petition consistent with adopted plans. Commission Sheild seconded the motion, which was approved unanimously.

Vote

Upon a motion made by Sheild and seconded Carter, the Zoning Committee unanimously recommended approval of this petition.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.