

**ZONING COMMITTEE
RECOMMENDATION
April 25, 2007**

Rezoning Petition No. 2007-047

Property Owner: South Atlantic Equipment Company

Petitioner: Dave Ransenberg, Gateway Homes, LLC

Location: Approximately 2.94 acres located on the northeast corner of N. Tryon Street and Pavilion Boulevard

Center, Corridor or Wedge: Corridor

Request: B-1, neighborhood business and R-12 MF, multi-family residential to NS, neighborhood services

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

- The amount of retail square footage was reduced from 20,000 to 16,900.
- 10% tree save area is shown on the site plan
- The building setback along Hwy 29 is 20-feet.
- The road on the western portion of the site will be a major thoroughfare built to major thoroughfare standards.
- The parking on the eastern side of the site has been moved behind the front corner of the building.
- The number of parking spaces has been reduced to 92.
- An 8-foot planting strips connecting to the adjacent parcel along the private internal road has been provided.
- The proposed public street along the northern property line will terminated as a stub street for the future extension.
- No convenience stores, gasoline sales, and drive-through window facilities will be allowed.
- No spandrel glass will be allowed along street fronts. Glass doors with emergency access bars along the street fronts will be provided.

Vote: Yeas: Carter, Chiu, Randolph, Ratcliffe, Sheild and Simmons

Nays: None

Absent: Loflin

Summary of Petition

This petition proposes to rezone approximately 2.94 acres to allow the development of a small neighborhood retail service center. The site plan accompanying this petition limits the retail uses to 16,900 square feet and provides 92 parking spaces, 2 bicycle spaces, and one loading space. Convenience stores, gasoline sales, and drive-through windows as an accessory to any use other than a bank or financial institutions are prohibited.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition and the modifications.

Statement of Consistency

Upon a motion made by Commissioner Ratcliffe and seconded by Commissioner Sheild the Zoning Committee unanimously found this petition to be consistent with the *North East District Plan* and reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Ratcliffe and seconded by Commissioner Carter, the Zoning Committee voted 6-0 to recommend approval of this petition with the noted modifications.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.