

**ZONING COMMITTEE
RECOMMENDATION
February 27, 2008**

Rezoning Petition No. 2007-118

Property Owner: Pearson Properties-Cainhoy I LLC / Eric and Allison Runge

Petitioner: Brookechase Properties

Location: Approximately 5.38 acres located on the northeast corner of Providence Road and Westbury Road, south of South Sharon Amity Road

Center, Corridor or Wedge: Center

Request: R-3, single family residential to UR-2 (CD), residential multi-family, conditional, and R-5(CD), conditional single family residential

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

- The number of units is reduced to 48 on the UR-2(CD) site.
- The maximum building height is 60 feet.
- Water quality and quantity improvements have been included.
- Tree save areas have been committed to and identified.
- The pedestrian/bike trail has been extended to the retail center to the north and “motor vehicles of any kind” prohibited from using the trail.
- Commitments regarding the single family homes as detailed in an email from petitioner’s agent dated February 27, 2008 have been added to the site plan.

Vote:

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

Summary of Petition

Brookechase Properties is requesting that City Council change the zoning of these parcels to permit the development of up to 48 multi-family residential condominium units and three single family homes. The development would include:

- Vehicular access from Westbury Road
- A 6 feet sidewalk and 8 feet planting strip along Providence Road and Westbury Road.
- Dedication and conveyance of 50 feet from the centerline of Providence Road for future right-of-way.
- Maximum building heights of 60 feet, with no building closer than 155 feet from Westbury Road.

Zoning Committee Discussion/Rationale

Staff noted the additional modifications that had been made to the site plan since the January work session. Staff noted that building heights were a maximum of 60 feet, each consisting of three levels of condominiums over a level of parking. Stormwater and tree save commitments have been added to the site plan. A Zoning Committee member complimented the petitioner for continuing to work with the neighborhood and arriving at a site plan that addressed most of the neighborhood's issues.

Statement of Consistency

Upon a motion by Commissioner Johnson, seconded by Commissioner Sheild, the committee voted unanimously to find that the petition was consistent with the *South District Plan* and the *General Development Policies* and was therefore reasonable and in the public interest.

Vote

Upon a motion by Commissioner Lipton, seconded by Commissioner Sheild, the Zoning Committee voted unanimously to recommend APPROVAL of this petition as modified above.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.