

**ZONING COMMITTEE
RECOMMENDATION
January 24, 2007**

Rezoning Petition No. 2006 - 168

Property Owner: Care III, LLC

Petitioner: Care III, LLC

Location: Approximately 2.48 acres on the east side of East W.T. Harris Boulevard south of Hickory Grove Road.

Request: B-1(CD), neighborhood business conditional district to B-1(CD) S.P.A., neighborhood business conditional district site plan amendment

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

- The maximum allowable square footage has been capped at 40,000.
- The buffer width has been increased to reflect the whole shopping center site.
- The 20-foot setback will be measured from the future right-of-way.
- The future building and parking envelope has been labeled on the plan.
- Architectural guidelines for future buildings have been included.
- Restaurants with drive-thru windows have been excluded from the allowable uses.
- All lighting on the site will be fully shielded.

Vote:

Yeas:	Carter, Chiu, Loflin, Randolph, Ratcliffe, Sheild and Simmons
Nays:	None
Absent:	None

Summary of Petition

This request proposes to amend an existing B-1(CD) plan to allow the expansion of an existing building with additional buildings on the northern portion of the site. The proposed plan would allow up to 40,000 square feet of commercial uses.

Zoning Committee Discussion/Rationale

Mr. MacVean reviewed the petition and noted that the proposed petition is consistent with the *Eastside Strategy Plan* and that there are no outstanding issues.

Statement of Consistency

Upon a motion made by Sheild and seconded by Carter the Zoning Committee unanimously found this petition to be consistent with the *Eastside Strategy Plan* and to be reasonable and in the public interest.

Vote

Upon a motion made by Carter and seconded by Randolph the Zoning Committee voted unanimously to recommend approval of this petition.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.