

**ZONING COMMITTEE  
RECOMMENDATION  
February 27, 2008**

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**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.