

**ZONING COMMITTEE
RECOMMENDATION
February 27, 2008**

Rezoning Petition No. 2008-021

Property Owner: Grier Dianglkis and George D. Fields, Jr.

Petitioner: KSJ Development, Inc.

Location: Approximately 7.53 acres located on the southwest corner of Hampton Church Road and Washington Boulevard

Center, Corridor, or Wedge: Corridor

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

Action: The Zoning Committee recommended **APPROVAL** of this petition with the following modifications:

- Added storm water language as requested by Storm Water Services.
- Provision of parking calculations based upon proposed uses.
- Better alignment of proposed easternmost access point with existing driveway to the south.
- Approximate location of potential cross-access between properties if redevelopment occurs.
- Proposed curb and gutter, 8' planting strip and 5' sidewalk along portion of Hampton Church Road.
- Proposed 8' planting strip with 6' sidewalk along Shopping Center Road.
- Pedestrian connection along eastern property line connecting to proposed sidewalks onto Shopping Center Drive and Hampton Church Road.
- Provision of a private aisle stub to the westerly property line for future development for cross access purposes.
- Additional notes pertaining to building materials.
- Language about building vacancy mitigation procedures, including maintenance and appearance, and provision to disallow similar use should building remain vacant for longer than 6 months.
- Additional detention area on site.

Vote:

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

Summary of Petition

This request proposes to modify an existing B-1(CD) plan in order to re-allocate/reduce the amount of building square footage. The current B-1(CD) plan allows 14,560 square feet of retail, 8,240 square feet of restaurant, and 44,400 square feet of office. The proposed site plan amendment would result in a 40,000 square-foot fitness facility, 12,000 square feet of retail, 5,000 square feet of restaurant, and 3,000 square feet of office. The amendment also proposes reconfiguring of the site layout. The site is currently vacant. Development details include the following:

- Proposed three (3) building envelopes areas
- A 40,000 square-foot fitness facility, 12,000 square feet of retail, 5,000 square feet of restaurant uses, and 3,000 square feet of offices
- Potential outdoor field
- Parking area containing 284 parking spaces
- Proposed Class “B” buffer with fence and detention areas
- Proposed access points onto Shopping Center Road

The *University City Area Plan* (2007) recommends transit-oriented residential land uses for this parcel, which is within the proposed City Boulevard station area for the Northeast Light Rail Transit Corridor. The “Implementation” portion of the plan recommends a corrective rezoning of the property to apply a TS (Transit Supportive) Overlay. The proposal is inconsistent with the plan, but in this particular case the applicant is consolidating the previously approved retail square footage and not increasing the previously approved parking.

Zoning Committee Discussion/Rationale

Claire Lyte-Graham presented the item, noting modifications made to the site plan since City Council public hearing, including:

- Added storm water language as requested by Storm Water Services.
- Provision of parking calculations based upon proposed uses.
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Ms. Lyte-Graham stated that the only remaining outstanding site plan issue remaining was to change a note on the site plan to reflect a pedestrian connection along the eastern property line would be constructed of concrete and not gravel. There was no discussion of this petition.

Statement of Consistency

Upon a motion made by Commissioner Johnson and seconded by Commissioner Sheild the Zoning Committee unanimously found this petition to be inconsistent with the *University City Area Plan*, but reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Lipton and seconded by Commissioner Shield the Zoning Committee voted unanimously to recommend APPROVAL of this petition with modifications.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.