

**ZONING COMMITTEE
RECOMMENDATION
February 27, 2008**

Rezoning Petition No. 2008-027

Property Owner:	Various property owners						
Petitioner:	Sagrado Builders Corporation						
Location:	Approximately 5.83 acres located on the north side of Ballantyne Commons Parkway between Annalexa Lane and Providence Road.						
Center, Corridor, or Wedge:	Center						
Request:	R-3, single family to UR-2(CD), urban residential conditional						
Action:	<p>The Zoning Committee voted unanimously to recommend approval of this petition with the following modifications:</p> <ul style="list-style-type: none">• The site plan will indicate a minimum of 10% tree save area.• A 24-foot undisturbed class “C” buffer will be provided along the northern and western property line.• Each unit will show 400 square feet of open space.• The 8-foot planting strip and 6-foot sidewalk along Ballantyne Commons Parkway will be drawn to scale.• The face of the garages will be setback a minimum of 20-feet from the back of curb or face of the sidewalk.• Building heights will be labeled on the elevations.						
Vote:	<table><tr><td>Yeas:</td><td>Howard, Johnson, Lipton, Loflin, Rosenburgh, and Sheild</td></tr><tr><td>Nays:</td><td>None</td></tr><tr><td>Absent:</td><td>Randolph</td></tr></table>	Yeas:	Howard, Johnson, Lipton, Loflin, Rosenburgh, and Sheild	Nays:	None	Absent:	Randolph
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Nays:	None						
Absent:	Randolph						

Summary of Petition

This petition proposes the development of 27 townhomes for sale for an overall density of 4.63 units per acre. The petitioner is seeking an urban residential district to:

- Take advantage of the decreased setback for the purpose of increasing the perimeter wall height. Such walls may be increased above five-feet only when outside the setbacks. The

setbacks in a typical multi-family district are 30-feet compared to 14-feet in the urban residential district.

- Eliminate the buffer requirements along the access road to the shopping center.

The site plan attached shows a gated community enclosed by a wall and gates at the entrances. The townhomes will have individual driveways and be front loaded with garages.

Zoning Committee Discussion/Rationale

Staff reviewed the petition and noted that the outstanding issues had been resolved with the exception of the note related to compliance with other development standards requested by Storm Water Services. It was noted that the request is consistent with the *Provident Road/ I-485 Area Plan Update* and that staff is recommending approval.

Statement of Consistency

Upon a motion made by Commissioner Sheild and seconded by Commissioner Lipton the Zoning Committee unanimously found this petition to be consistent with the *Provident Road / I-485 Area Plan Update* and reasonable and in the public interest.

Vote

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

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.