

**ZONING COMMITTEE  
RECOMMENDATION  
June 28, 2006**

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**Rezoning Petition No. 2006-074**

**Property Owner:** Fairview Plaza Associates Limited Partnership

**Petitioner:** Fairview Plaza Associates

**Location:** Approximately 1.9 acres on the south side of Fairview Road between Park South Drive and J.A. Jones Drive

**Request:** Change from O-3(CD) (conditional office) to MUDD(CD) (conditional mixed-use development district)

**Action:** The Zoning Committee voted to recommend **APPROVAL** of this petition.

**Vote:** Yeas: Carter, Cooksey, Farman, Howard, Ratcliffe, and Sheild  
Nays: None  
Absent: Hughes

**Summary of Petition**

This petition seeks approval for 17,000 square feet of office/retail space and up to 18,000 square feet of restaurant/rooftop dining space, with an additional 2,500 square feet of outdoor dining area. The site plan accompanying this petition contains these additional provisions:

- There are three vehicular access points to the site – all right-in, right-out.
- There is an Alternate Plan in the event the proposed abandonment of a portion of the old J.A. Jones Drive is not approved.
- A 24-inch and 60-inch oak are being preserved along Fairview Road.
- The majority of the parking being sought by the staff will be located off-site on adjacent or nearby parcels.
- Permitted uses exclude gas stations, convenience stores, and restaurants with drive-thru windows.
- The site will comply with requested water quality improvements.
- Building elevations are included as part of the site plan.

**Zoning Committee Discussion/Rationale**

A Committee member inquired as to how this petition was considered consistent with adopted plans when the land use plan called for office uses. Staff responded that the plan also anticipated retail that was supportive of the office uses both on and off of the site.

### **Statement of Consistency**

Commissioner Sheild made a motion to find this petition consistent with adopted plans and policies. Commissioner Ratcliffe seconded the motion, which was approved unanimously.

### **Vote**

**Upon a motion made by Howard and seconded by Sheild, the Zoning Committee unanimously recommended approval of this petition.**

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.