

**ZONING COMMITTEE  
RECOMMENDATION  
March 28, 2007**

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**Rezoning Petition No. 2007-036**

**Property Owner:** Cindy Lane Associates Limited Partnership

**Petitioner:** Cindy Lane Associates Limited Partnership

**Location:** Approximately 15.92 acres located on the southwest corner of Cindy Lane and Hutchison-McDonald Road

**Request:** I-1 (CD light industrial conditional district and R-4, single family residential to I-1 (CD), light industrial conditional district and I-1 (CD) SPA, light industrial conditional district site plan amendment

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

- 11.74% trees save area will be provided
- The office portion of the new building will be oriented toward Hutchinson-McDonald Road.
- The buffers along Cindy Lane and I-77 as per rezoning petition 1990-59 are shown on the site plan.
- Storm Water and CDOT issues should be resolved.
- 8-foot planting strips and 6-foot sidewalks will be constructed on both Cindy Lane and Hutchinson-McDonald Road when the existing building is expanded.

**Vote:** Yeas: Chiu, Loflin, Randolph, Ratcliffe, Sheild and Simmons

Nays: None

Absent: Carter and Sheild

**Summary of Petition**

This petition proposes to add a new industrial building to a previously approved site plan. The site plan accompanying this petition proposes to add a new industrial building with a maximum of 134,491 square feet to the southern portion of the site. The total square footage for all buildings will not exceed 250,000 square feet. Detached lighting will be limited to 30-feet in height and will be aimed into the site. No direct access will be provided to Cindy Lane.

**Zoning Committee Discussion/Rationale**

Keith MacVean reviewed the petition and noted that most of the outstanding site plan issues had been resolved as follows:

- 11.74% trees save area will be provided
- The office portion of the new building will be oriented toward Hutchinson-McDonald Road.
- The buffers along Cindy Lane and I-77 as per rezoning petition 1990-59 are shown on the site plan.
- Storm Water and CDOT issues had been resolved.
- 8-foot planting strips and 6-foot sidewalks will be constructed on both Cindy Lane and Hutchinson-McDonald Road when the existing building is expanded.

The remaining issue related to the construction timing of the planting strip and sidewalk along Cindy Lane and the developed portion of Hutchinson-McDonald.

The Commission suspended their rules to ask Walter Fields when the sidewalk and planting strip would be constructed. Mr. Fields stated that both would be constructed at the time of the expansion of the existing building. One Commissioner asked if Mr. Fields knew the timing. He responded that a company has purchased the building and is negotiating for the proposed new building which would likely be constructed before the expansion. He anticipated that due to the needs of the company, the expansions could happen in a short time.

### **Statement of Consistency**

Upon a motion made by Loflin and seconded by Simmons the Zoning Committee unanimously found this petition to be consistent with the North East District Plan and to be reasonable and in the public interest.

### **Vote**

**Upon a motion made by Randolph and seconded by Ratcliffe the Zoning Committee voted unanimously to recommend approval of this petition with the noted modifications.**

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.