

**ZONING COMMITTEE  
RECOMMENDATION  
October 24, 2007**

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**Rezoning Petition No. 2007-132**

**Property Owner:** Ballantyne Real Estate Holdings, LLC

**Petitioner:** Pete Lang

**Location:** Approximately 7.0 acres on the southwest corner of Johnston Road (US 521) and Providence Road West

**Center, Corridor, or Wedge:** Wedge

**Request:** O-1(CD) (conditional office district) site plan amendment

**Action:** The Zoning Committee voted unanimously to recommend **CONDITIONAL APPROVAL** of this petition. That approval is conditioned upon the staff being able to satisfactorily resolve remaining site plan issues and is based upon the following modifications:

- An adequate tree save area has been documented.
- Adequate landscaping has been added to the Johnston Road setback.
- A building elevation has been provided for one side of the fitness center.
- Adequate sidewalks have been added to the site plan.
- The bank has been relocated and vehicle stacking added.
- Water quality and quantity improvements have been added to the site plan.

**Vote:** Yeas: Howard, Johnson, Lipton, Loflin, Randolph, Rosenburgh, and Sheild

Nays: None

Absent: None

**Summary of Petition**

This petition seeks approval for a bank, an office building, and a fitness center. The total proposed size is 72,500 square feet.

## **Zoning Committee Discussion/Rationale**

Staff reviewed the modifications to the site plan and noted the following outstanding issues:

- Only 5% of the wall areas facing public streets are committed to be clear glass and the prohibition on “blank walls” needs more specificity.
- A note on shared parking seems to require the City to allow it based on an Urban Land Institute standard rather than the discretion of the Zoning Administrator as specified by the Zoning Ordinance.

There was a lengthy discussion about the details of the provided building elevation and it was determined that the elevation shown was not the side of the building facing Johnston Road as had been thought by staff. The petitioner’s representative thought that the issues could be worked out but had to consult with his client before he could commit to specifics. The Committee had a discussion as to whether a deferral was more appropriate than recommending conditional approval. The Committee also asked staff why the buildings were not all moved up toward Johnston Road as was common. Staff replied that they preferred to orient the larger buildings to the internal public street and have a buffer to Johnston Road, a four-lane divided highway.

## **Statement of Consistency**

A motion was made by Commissioner Sheild, seconded by Commissioner Rosenburgh, to find this petition to be consistent with the South District Plan (as amended by a 2002 rezoning) and to be reasonable and in the public interest. The motion passed unanimously.

## **Vote**

**Upon a motion by Commissioner Sheild, seconded by Commissioner Rosenburgh, the Zoning Committee voted unanimously to recommend approval of this petition, conditioned upon the staff satisfactorily resolving the remaining site plan issues.**

## **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.