

**ZONING COMMITTEE  
RECOMMENDATION  
June 25, 2008**

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**Rezoning Petition No. 2008-02**

**Property Owner:** BLC4K, LLC c/o Bissell Development & BCI Property Co. No. 21

**Petitioner:** York Development Group

**Location:** Approximately 6.6 acres on the northeast corner of North Community House Road and Ballantyne Commons Parkway.

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

**Request:** BP(CD), conditional business park district, to NS, neighborhood services district.

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

- The fast food restaurant has been moved closer to the remainder of the shopping center and parking placed on the other side of the restaurant.
- A highlighted crosswalk, with pedestrian refuge median, has been added between the center and the outparcel restaurant.

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

Nays: None

Absent: None

**Summary of Petition**

This petition seeks a retail shopping center of up to approximately 38,000 square feet.

**Zoning Committee Discussion/Rationale**

Staff reviewed the petition, reminding the Committee that they had recommended denial of this petition the previous month. Since that recommendation the petitioners have made the modifications described above. Staff summarized that the cumulative effect of these modifications was to change the fast food restaurant from an independent freestanding single tenant building into an interconnected part of the shopping center. The petition is now consistent

with the *General Development Policies*. Due to the significant site plan changes, the City Council referred the petition back to the Zoning Committee for a new recommendation.

A Zoning Committee member complimented the staff and the petitioner on having worked out the issues associated with this petition. Another Committee member asked the staff how better pedestrian access from the future office buildings to this site could be obtained. Scott Putnam of CDOT responded that, in the future, an additional signalized intersection might be warranted that would reduce the current block length. This would provide improved pedestrian access and safety. For the short term, CDOT was satisfied with the existing crosswalks and access.

### **Statement of Consistency**

Upon a motion by Mr. Rosenburgh and seconded by Mr. Sheild, the Zoning Committee voted unanimously to find this petition to be consistent with the *South District Plan* and with the *General Development Policies*.

### **Vote**

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

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.