

**ZONING COMMITTEE
RECOMMENDATION
July 30, 2008**

Rezoning Petition No. 2008-106

Property Owner: Marion B. Huntley, Jr.

Petitioner: Andrew Ighade, Adediji Dsinloye, and Sony Obuseh

Location: Approximately 1.95 acres on the north side of Albemarle Road Hollirose Drive and the Eastern Circumferential Road

Center, Corridor, or Wedge: Wedge

Request: R-3, single family residential, to B-1(CD), conditional neighborhood business

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

Additional open space and tree save have been added.
The eastern entrance sidewalk has been widened to five feet.
The pharmacy has been reduced to 4,000 square feet of floor area.

Vote:

Yeas:	Allen, Griffith, Howard, Lipton, Randolph, and Rosenburgh
Nays:	None
Absent:	Johnson

Summary of Petition

This petition seeks approval for 24,800 square feet of medical office and an associated pharmacy of 4,000 square feet.

Zoning Committee Discussion/Rationale

Staff reviewed the petition and noted the changes since the public hearing. With those changes the staff is recommending approval of the petition. A Committee member noted that the adopted plan called for institutional uses on the site and thought that institutional uses were not usually mapped during the planning process. Staff confirmed that it was mapped as institutional and that was rare. The plan had envisioned that the abutting religious facility might need room to expand. Staff explained to the Committee that the church had been contacted and was not contemplating expansion in the foreseeable future.

Statement of Consistency

Upon a motion made by Commissioner Lipton and seconded by Commissioner Allen the Zoning Committee unanimously found this petition to be technically inconsistent with the *East District Plan* but to be reasonable and in the public interest.

Vote

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

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.