

**ZONING COMMITTEE  
RECOMMENDATION  
February 27, 2008**

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**Rezoning Petition No. 2008-33**

**Property Owner:** Fay H. Culbreth and Winifred L. Culbreth, et al

**Petitioner:** Pacific Southern Development, LLC

**Location:** Approximately 2.1 acres west of Park Road between Heather Lane and Drexel Place

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

**Request:** R-4, single family residential, and O-2, office district, to MUDD(CD), conditional mixed-use development district

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

- The wall on the west side of the project will be a six-foot brick wall.
- Additional right-of-way will be dedicated along Heather Lane to provide 55 feet of right-of-way, potentially permitting a future left turn lane. Building A will consequently be located three feet further south, providing 20 feet between building and back of curb.
- Both driveway connections will remain open at all times.
- A double row of vegetative screening has been added between the parking and Heather Lane.
- Total square footage is reduced to 38,000 square feet.
- No restaurant may operate after 11:00 pm and alcohol sales may not exceed 35% of gross receipts.

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

Nays: None

Absent: Randolph

**Summary of Petition**

This petition has been modified to seek approval for 38,000 square feet of retail, general and medical offices, and restaurant.

### **Zoning Committee Discussion/Rationale**

The staff reviewed the petition, pointing out the modifications made to the site plan, omitting the restrictions on the restaurant. A member of the Committee pointed out the omission. Staff noted that one issue raised at the public hearing was a limit on hours of trash collection. That issue was not addressed on the site plan. A Committee member praised the developer for working with the neighborhood to produce a site plan that was satisfactory to the neighborhood.

### **Statement of Consistency**

Upon a motion made by Commissioner Loflin and seconded by Commissioner Sheild the Zoning Committee unanimously found this petition to be consistent with the *Park Road Corridor Plan* and to be reasonable and in the public interest.

### **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.