

**ZONING COMMITTEE
RECOMMENDATION
May 28, 2008**

Rezoning Petition No. 2008-67

Property Owner: Sharon Arms Apartments, LLC

Petitioner: Colwick Medical Partners, LLC

Location: Approximately 1.7 acres on the east side of Colwick Road between Chiswick Road and Greenwich Road.

Center, Corridor, or Wedge: Center

Request: O-2 (office), to NS (neighborhood services)

Action: A majority of the Zoning Committee voted to recommend **APPROVAL** of this petition, based upon the following modifications:
“personal services “ uses have been defined and will be added to the site plan
Petitioner has agreed to comply with the Post-Construction Controls Ordinance

Vote: Yeas: Howard, Johnson, Loflin, Randolph, Rosenburgh, and Sheild
Nays: Lipton
Absent: None

Summary of Petition

This petition seeks approval for up to 31,125 square feet of medical office use and up to 10,375 square feet of neighborhood services uses. Those uses have now been defined as a potential pharmacy (without drive-thru window), personal services allowed in office districts, or general/medical offices. A total of 159 parking spaces are illustrated, including on-street parking. However, there is only a commitment to 70 spaces.

Zoning Committee Discussion/Rationale

The staff reviewed the modifications noted above and noted a letter submitted by principal of the abutting elementary school, which expressed concerns over traffic and a requested pedestrian path through the school. Staff noted that CDOT's request for the pedestrian path was an outgrowth of the Safe Routes to Schools program. Staff also noted that they had requested the petitioner to define what "personal services" would be allowed as permitted uses. Petitioner's agent was asked to respond and he identified several uses permitted in the office district. Those uses were listed and will be added to the site plan. Staff indicated no opposition to the listed uses. One Committee member wondered if a smaller building could be built and stated that she needed additional time to address the lack of tree save and open space.

Statement of Consistency

Upon a motion made by Commissioner Sheild and seconded by Commissioner Rosenburgh the Zoning Committee unanimously found this petition to be inconsistent with the South District Plan but to be reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Sheild and seconded by Commissioner Rosenburgh the Zoning Committee voted 6-1 to recommend approval of this petition as modified.

Minority Opinion

A minority of the Zoning Committee felt that it was irresponsible to approve a petition with no tree save and limited open space, especially next to a school. She was "very disappointed".

Staff Opinion

Staff does not agree with the recommendation of the majority of the Zoning Committee. The proposal lacks adequate parking and tree save/open space. The lack of parking may very well negatively impact adjoining properties and is a poor precedent for the future. The lack of tree save/open space is contrary to the goals of the environmental GDPs to design with sensitivity to the natural environment. The combination is indicative of an over-built site.