

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
FEBRUARY 12, 2009**

BEGINNING AT 6:00 P.M.

CALL TO ORDER:

PUBLIC HEARING ON CAPITAL IMPROVEMENT PROGRAM: Public Hearing to consider the FY 2009 – 2010 through FY 2013 – 2014 Capital Improvement Program for February 12, 2009 at 6:00 p.m.

Approved

BEGINNING AT 7:00 P.M.

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (2); (4)

REQUESTS FOR EXPEDITED ITEMS: (1)

CASES TO BE HEARD: (1)

BROOKLAND:

P-2-09 HD Group/Wendy Hunter for Noodles and Company: Request to amend one condition approved with Provisional Use Permit P-17-08, on part of Parcel 773-736-2198, located at the southeast intersection of W. Broad Street (U.S. Route 250) and Willow Lawn Drive (Willow Lawn Shopping Center). The applicant requests to delete Condition 13 prohibiting the serving or consumption of alcoholic beverages within an outdoor dining area. The existing zoning is B-2 Business District. The Land Use Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Lisa Taylor (Withdrawn by Applicant) Withdrawn**

VARINA:

None.

FAIRFIELD:

P-3-09 Brad Mercer for Redco Properties, LLC: Request for a Provisional Use Permit under Sections 24-58.2(a), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to extend hours of operation for a quick service restaurant (Bojangles), on Parcel 810-723-7460, located at the southeast intersection of Nine Mile Road (State Route 33), and S. Laburnum Avenue. The applicant proposes opening daily at 5:30

February 13, 2009

a.m. instead of 6:00 a.m. The existing zoning is M-1C Light Industrial District. The Land Use Plan recommends Commercial Concentration. The site is in the Enterprise Zone. **Staff – Jamie Sherry (Expedited Agenda Requested) Recommended for Approval**

C-5C-09 Guy Blundon for Brook Run Somerset, LLC: Request to amend proffered conditions accepted with Rezoning Case C-33C-04, on Parcels 784-749-1627 and 784-748-0982, located on the west line of Brook Road (U.S. Route 1), approximately 875 feet south of its intersection with Hilliard Road (State Route 161). The applicant proposes to amend Proffer 2 related to age restrictions. The applicant proposes to reduce the minimum age restriction from 62 to 55 and delete Proffer 3 related to enforcement of age restrictions. The total number of units would remain the same. The existing zoning is R-5C General Residence District (Conditional). The Land Use Plan recommends Commercial Concentration and Environmental Protection Area. The site is in the Enterprise Zone. **Staff – Ben Sehl (Deferral requested to March 12, 2009) Deferred to the March 12, 2009 Meeting**

THREE CHOPT:

Deferred from the October 9, 2008 Meeting.

C-61C-07 James Theobald for Centex Homes: Request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional) and B-2C Business District (Conditional), Parcels 738-767-5405, 738-766-9367, 739-766-3768 and 739-766-2504, containing approximately 32.99 acres (RTHC – 23.30 ac. and B-2C 9.69 ac.), located on the west line of Pouncey Tract Road (State Route 271) between Kain Road and Bacova Drive. The applicant proposes condominiums, retail and office uses. The maximum density allowed in the RTH District is nine (9) units per acre. The uses will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Suburban Residential 1, 1.0 to 2.4 units net density per acre. The majority of the site is in the West Broad Street Overlay District. **Staff – Ben Sehl (Withdrawn by Applicant) Withdrawn**

Deferred from the January 15, 2009 Meeting.

P-19-08 Brian Revere for Towne Center West, LLC: Request for a Provisional Use Permit under Sections 24-58.2(d), 24-58.2(a), 24-120 and 24-122.1 of the County Code in order to allow outside dining and extended hours of operation for a proposed restaurant in the Towne Center West Shoppes, on part of Parcel 735-764-7344, located approximately 660 feet north of W. Broad Street (U. S. Route 250) approximately 1,200 feet west of its intersection with N. Gayton Road. The existing zoning is B-2C Business District (Conditional). The Land Use Plan recommends Mixed Use Development. The site is in the West Broad Street Overlay District. **Staff – Lisa Taylor (Deferral requested to March 12, 2009) Deferred to the March 12, 2009 Meeting**

C-6C-09 James W. Theobald for 8516 Fordson, LLC: Request to conditionally rezone from O-1C Office District (Conditional) and R-3 One-Family Residence District to O-2C Office District (Conditional), Parcels 756-750-3871 and 756-750-5679 and part of Parcel 756-751-2001, containing approximately 2.272 acres, located at the northeast

intersection of N. Parham and Fordson Roads. The applicant proposes an expansion of Pembroke Office Park. The use will be controlled by zoning ordinance regulations and proffered conditions. The Land Use Plan recommends Office and Suburban Residential 1, 1.0 to 2.4 units net density per acre. **Staff – Roy Props (Deferral requested to March 12, 2009) [Deferred to the March 12, 2009 Meeting](#)**

TUCKAHOE:

[Deferred from the January 15, 2009 Meeting.](#)

P-20-08 Gloria L. Freye for New Cingular Wireless PCS, LLC: Request for a Provisional Use Permit under Sections 24-95(a)(3), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to construct a 102' high flagpole-style monopole telecommunications tower and related equipment, on part of Parcel 732-749-5405, located on the east line of Gayton Road approximately 900 feet north of its intersection with Cambridge Drive. The existing zoning is B-1 Business District. The Land Use Plan recommends Commercial Concentration. **Staff – Roy Props (Deferral requested to the April 9, 2009 Meeting) [Deferred to the April 9, 2009 Meeting](#)**

P-4-09 Kristine L. Riley for West End Farmers' Market, LLC: Request for a Provisional Use Permit under Sections 24-62.2(g), 24-120 and 24-122.1 of Chapter 24 of the County Code in order to operate a farmers' market and related parking, on parts of Parcels 732-751-4078, 732-751-0561, and 731-751-8088, located at the southwest intersection of Ridgefield Parkway and Gayton Road. The existing zoning is B-3 Business District. The Land Use Plan recommends Commercial Concentration. **Staff – Livingston Lewis [Recommended for Approval](#)**

APPROVAL OF MINUTES: **Planning Commission January 15, 2009**
 [Approved](#)
 Public Hearing January 22, 2009
 [Approved](#)

Acting on a motion by [Mr. Jernigan](#), seconded by [Mr. Archer](#), the Planning Commission adjourned its meeting at [7:47 p.m.](#) on [February 12, 2009](#).

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