



Zoning Committee

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<b>REQUEST</b>	Current Zoning: O-1(CD) (office, conditional) Proposed Zoning: UR-2(CD) (urban residential, conditional)
<b>LOCATION</b>	Approximately 11.75 acres located on the east side of David Taylor Drive, north of West Mallard Creek Church Road. (Council District 4 - Phipps)
<b>PETITIONER</b>	High Family partnership I, LP

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**ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY** The Zoning Committee voted 5-2 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Northeast Area Plan and the General Development Policies*, based on the information from the staff analysis and the public hearing and because:

- The adopted plan recommends research/office/retail uses for the northern portion of the site as amended by rezoning petition 2000-11(C).
- The adopted plan recommends office uses for southern portion of the petition as amended by rezoning petition 2002-080.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The proposed multi-family development is inconsistent with the adopted land uses for this site.
- The proposed density of 22 units per acre is not supported by the General Development Policies, which recommends up to 17 units per acre.
- However, the proposed request provides buffers and open space creating an appropriate transition to the adjoining single family residential.
- In addition, the request includes building elevations and commits to architectural details such as building orientation, façade standards for entrances, windows, and doors, and roof types and other design standards that are compatible with the surrounding single family development.

Motion/Second: McClung / Nelson

Yeas: Majeed, McClung, McMillan, Nelson, and

	Sullivan
Nays:	Fryday, Spencer
Absent:	None
Recused:	None

**ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan. Commissioners discussed how density did not seem to be an issue for staff at the public hearing, but that sentiment was different for the Zoning Committee meeting. Staff responded that the recommendation for approval was based on the outstanding issues being resolved. Density was listed as an outstanding issue and it was the only one that had not been resolved. A Commissioner noted that the adopted plan recommendation needs to be upheld, while another Commissioner stated that the higher density was not a concern at this location.

There was no further discussion of this petition.

**MINORITY OPINION**

Commissioners Fryday and Spencer noted that the density request is inconsistent with the adopted plan and exceeds those supported by the GDP (*General Development Policies*) and is not reasonable and in the public interest. In addition, the zoning ordinance has mechanisms in place for awarding higher densities which were not utilized.

**STAFF OPINION**

Staff disagrees with the recommendation of the majority of the Zoning Committee, and does not support the petition due to the density.

**PLANNER**

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