



## **Zoning Committee Recommendation**

**Rezoning Petition 2019-144**

**February 4, 2020**

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**REQUEST**

Current Zoning: R-3 (single-family residential) and R-12(CD)  
(single-family residential, conditional)  
Proposed Zoning: R-12MF(CD) (multi-family residential,  
conditional)

**LOCATION**

Approximately 23.57 acres located on the west side of North Tryon Street, south of Sir Anthony Drive, north of West Mallard Creek Church Road.  
(Council District 4 - Johnson)

**PETITIONER**

York Acquisitions, LLC

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Northeast Area Plan* (2000) recommendation for residential uses at or less than 12 dwelling units per acre for the majority of the site. The petition is inconsistent with the plan recommendation for residential uses at or less than four dwelling units per acre on parcel 02903125, based on the information from the staff analysis and the public hearing and because:

- The plan recommends residential.

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 petition's residential density of eight dwelling units per acre is less dense than the 12 dwellings units per acre that the plan recommended for the majority of the site. The petition respects the recommendation of four dwelling units per acre on the northern portion of Sir Anthony Drive by locating the leasing office and community amenities on that parcel, making it the least dense portion of the site.
- The petition is sensitive to the neighboring existing and entitled single family development by locating the less dense, attached single family product adjacent to areas zoned R-3 and the multi-family product adjacent to the areas zoned R-12MF.
- In addition, existing trees in the tree-save areas are to be undisturbed, ensuring an adequate buffer between the development and existing and entitled single family development.

The approval of this petition will revise the adopted future land use as specified by the *Northeast Area Plan* (2000) for parcel 02903125, from residential uses at or less than four dwelling units per acre to residential uses at up to 12 dwelling units per acre.

Motion/Second: Nwasike / McClung  
Yea: Gussman, Ham, McClung, Nwasike, and Watkins  
Nay: None  
Absent: Spencer, Wiggins  
Recused: None

**ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the *Northeast Area Plan* (2000) recommendation for residential uses at or less than 12 dwelling units per acre for the majority of the site and inconsistent with the plan recommendation for residential uses at or less than four dwelling units per acre on parcel 02903125.

A commissioner asked what traffic improvements the petitioner was committing. CDOT replied that the petitioner would be making road improvements to their access points. Staff also noted that any stormwater concerns would be addressed during the land development permitting process and subject to the PCSO.

There was no further discussion of this petition.

**PLANNER**

Michael Russell (704) 353-0225