

**ZONING COMMITTEE
RECOMMENDATION
September 27, 2006**

Rezoning Petition No. 2006-72

Property Owner: Lawrence M. Raymer and Rufus and Augustine Mingo

Petitioner: PCNC and Rufus and Augustine Mingo

Location: Approximately 5.64 acres located on Rumble Road, northeast of the intersection of Graham Street and West Sugar Creek Road

Request: R-3, single family, up to three dwelling units per acre to UR-2(CD), urban residential, conditional district.

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Vote: Yeas: Carter, Cooksey, Loflin, Randolph, Ratcliffe, Sheild and Simmons

Nays: None

Absent: None

Summary of Petition

This petition seeks to rezone 5.64 acres from R-3 to UR-2(CD) to allow a maximum of 45 townhomes at a density of 7.97 dwelling units per acre.

Zoning Committee Discussion/Rationale

Mr. MacVean reviewed the petition and noted that it is consistent with the Northeast District Plan, which recommends residential development up to eight (8) dwelling units per acre. Mr. Loflin questioned the status of the Derita Storm Water Project. Mr. MacVean responded that the Derita drainage project is pending and has been identified as a potential project. He added that the proposed petition on the east side of Sugar Creek Road is not located within the pending Derita project, the limits of which are the west side of Sugar Creek Road. Mr. Loflin also asked if staff was comfortable with the number of street stubs to the abutting property north of the site. Mr. MacVean answered yes, the staff was comfortable with the number of connections to the adjoining properties. He also noted that some of the streets that looked like connections were actually private streets that would not be extended.

Statement of Consistency

Commissioner Sheild made a motion to find this petition consistent with the Northeast District Plan. Commissioner Loflin seconded the motion, which was approved unanimously.

Vote

Upon a motion made by Carter and seconded by Simmons, the Zoning Committee unanimously recommended approval of this petition.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.