

**ZONING COMMITTEE
RECOMMENDATION
July 26, 2006**

Rezoning Petition No. 2006-073

Property Owner: Nicholas Presti, Edward Heiser, Jr., Aaron Clark, and Jason Clark

Petitioner: Project Innovations, LLC

Location: Approximately .9 acres located at the end of Belle Terre Avenue, west of Thomas Avenue

Request: R-5 (Single Family Residential) 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, Ratcliffe, Sheild, and Simmons

 Nays: None

 Absent: None

Summary of Petition

The petition is requesting approval for the construction of 13 residential units on .9 acre, at an overall density of 14.4 homes per acre.

- Townhomes will adhere to the general architectural theme shown on the plan.
- A solid 6 feet tall brick wall will be built around the property.
- Each dwelling unit will have a garage.
- Stormwater management will be provided per Stormwater Services recommendations.
- On street parking will be provided on one side of the private drive.
- The petitioner will work with Urban Forestry to preserve trees to the greatest extent possible during the permitting process.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition and noted that it is not consistent with adopted plans. Both the Belmont Area Revitalization Plan (2003) and the Central District Plan (1993) call for maximum residential density of 5 units per acre. The area was downzoned from R-22 MF (Residential Multi-Family) to R-5 (Single Family Residential) at the request of the neighborhood in 2003. He stated that site plan issues have been resolved, but that staff is not supporting the petition.

Statement of Consistency

Commissioner Sheild made a motion to find this petition inconsistent with the Belmont Area Revitalization Plan and the Central District Plan. Commissioner Ratcliffe seconded the motion, which was approved unanimously.

Vote

Upon a motion made by Commissioner Sheild and seconded by Commissioner Carter, the Zoning Committee voted unanimously to recommend approval of this petition.

Staff Opinion

Staff disagrees with the recommendation of the Zoning Committee due to the nonconformity with adopted plans and recent corrective rezonings in the area.