

**ZONING COMMITTEE
RECOMMENDATION
December 27, 2006**

Rezoning Petition No. 2006-126

Property Owner: Stanley Smith Trustee, et al

Petitioner: DR Horton

Location: Approximately 50.8 acres located between Johnston Oehler Road and Prosperity Church Road

Request: R-3, single family residential to MX-1, mixed-use development

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

Vote:

Yeas:	Carter, Cooksey, Loflin, Randolph, Ratcliffe, Sheild, and Simmons
Nays:	None
Absent:	None

Summary of Petition

This petition proposes to rezone approximately 50.8 acres from R-3 single family residential to MX-1, mixed use to allow the development of a 260 lot single-family subdivision with an overall density of 5.1 units per acre. Site amenities include a pool house and pool with several green spaces within the development. Access is provided to Prosperity Church Road and Johnston Oehler with stub streets to the west and east.

Zoning Committee Discussion/Rationale

Keith MacVean reviewed the petition and noted the outstanding site plan issues were resolved. The petition is consistent with the adopted plans and staff is recommending approval.

Statement of Consistency

Upon a motion made by Carter and seconded by Loflin the Zoning Committee unanimously found this petition to be consistent with the Prosperity Villages Plan and to be reasonable and in the public interest.

Vote

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

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.