

**ZONING COMMITTEE  
RECOMMENDATION  
December 27, 2006**

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**Rezoning Petition No. 2006-153**

**Property Owner:** G. Frank and Barbara L. Williams

**Petitioner:** New South Properties of the Carolinas, LLC

**Location:** Approximately 1.3 acres on the southeast corner of Park Road and Yale Place

**Request:** Change from R-4 (single family residential) to UR-1(CD) (conditional urban residential)

**Action:** The Zoning Committee voted to recommend **APPROVAL** of this petition based upon the following modifications:

- Walkways have been added from the homes facing Park Road to the public sidewalk.
- The water quality note will meet the language requested by Storm Water Services.
- The “meandering” note for Yale Place will be deleted per staff’s request.

**Vote:**

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

**Summary of Petition**

This petition seeks approval for seven single family detached homes on 1.26 acres, with a resulting density of 5.5 homes per acre. The site plan accompanying this petition contains the following provisions:

- The seven proposed homes are accessed from Yale Place with a private loop road on the interior of the site. Garages are provided for all homes.
- The required public sidewalk meanders to the curb along a portion Park Road to avoid an existing tree and steep slopes.
- The site will have a 10% tree save and will achieve a tree canopy of 17.5 % with new planted trees.
- Right-of-way will be dedicated along Park Road 40 feet from the existing centerline.
- Vinyl is not an allowed exterior material.
- A privacy fence may be installed.

### **Zoning Committee Discussion/Rationale**

Staff reviewed the changes made to the site plan since the public hearing. One Committee member asked about the proposed tree save. Staff responded that the petitioner was not providing what staff requested. That was partially because the open space inside the circular drive was not as well “treed” as portions of the site that were being developed. Another Committee member inquired if we were creating a new development pattern by approving this petition. Staff replied that the circular drive did not create a new development pattern. The pattern is still single family residential and a compatible density. That spurred another Committee member to point out that the setbacks along Park Road were not consistent with existing homes along that street. Staff agreed that this petition allowed smaller setbacks but also had those homes having to appear to front Park Road. In staff’s mind that justified a somewhat smaller setback. Another Committee member stated that he liked the smaller setbacks in this context. Another Committee member complimented the developer on a good looking project. Another Committee member sought clarification that in the staff’s opinion, the petition met both the plan’s requirements for Park Road frontage and high quality design in order to justify higher density. Mr. MacVean said that it did.

### **Statement of Consistency**

Upon a motion made by Ms. Carter and seconded by Mr. Simmons the Zoning Committee unanimously found this petition to be consistent with the Park Road Corridor Plan and to be reasonable and in the public interest.

### **Vote**

**Upon a motion made by Ms. Carter and seconded by Mr. Loflin the Zoning Committee voted unanimously to recommend approval of this petition with the noted modifications.**

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.