

**ZONING COMMITTEE  
RECOMMENDATION  
September 26, 2007**

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**Rezoning Petition No. 2007-112**

**Property Owner:** The Mulvaney Group

**Petitioner:** Charter Properties, Inc. c/o John Porter, III

**Location:** Approximately 9.39 acres located east of Prosperity Church Road and south of Ridge Road, just north of Future I-485

**Center, Corridor or Wedge:** Center

**Request:** B-1(CD), neighborhood business, conditional and R-22MF(CD), multi-family residential, conditional to UR-2(CD), multi-family residential, conditional

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

**Vote:**

Yeas:	Howard, Loflin, Johnson, Randolph, Rosenburgh, and Shield
Nays:	None
Absent:	Lipton

**Summary of Petition**

The request is to rezone approximately 9.39 acres to accommodate up to 128 multi-family residential units at a density of 13.63 units per acre. A portion of the site is developed with a single family home and the remaining acreage is vacant. The request is consistent with the *Prosperity Church Road Villages Plan*.

**Zoning Committee Discussion/Rationale**

Keith MacVean summarized the petition and described the surrounding land uses and zoning districts. Mr. MacVean noted the future service road parallel the subject property's south property line, and I-485 to the south. Mr. MacVean stated that the petitioner has worked out issues with CDOT regarding vehicular channelization. Mr. MacVean noted the bicycle/pedestrian connection between the subject parcel and the property to the north, stating an existing wetland area prevented a possible vehicular connection.

### **Statement of Consistency**

Upon a motion made by Commissioner Shield and seconded by Commissioner Johnson, the Zoning Committee voted unanimously 6-0 to find that the proposed rezoning was consistent with the *Prosperity Church Road Villages Plan* and was reasonable and in the public interest.

### **Vote**

**Upon a motion made by Commissioner Shield and seconded by Commissioner Johnson, the Zoning Committee voted unanimously 6-0 to recommend approval of this petition.**

### **Staff Opinion**

Staff agrees with the decision to recommend approval of this request.