



**Zoning Committee**

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**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 4.35 acres located on the west side of Old Ardrey Kell Road, south of Providence Road West.

**PETITIONER**

Council District 7 - Driggs  
North State Development, LLC

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**ZONING COMMITTEE  
ACTION  
VOTE**

The Zoning Committee vote 7-0 to recommend APPROVAL of this petition.

Motion/Second: McClung / Majeed

Yeas: Fryday, Majeed, McClung, McMillan, Nelson,  
Spencer, and Sullivan

Nays: None

Absent: None

Recused: None

**ZONING COMMITTEE  
DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

A committee member asked if CDOT had obtained the traffic related information Councilman Driggs had requested at the public hearing. CDOT staff explained they were still working on gathering the information and it will be included in the follow-up report provide to Council before they vote.

The commissioner went on to note that schools in the area were over capacity in the area.

Another commissioner asked about requirements for driveway parking. Staff explained that if parking in the driveway is provided then the ordinance requires at least 20 feet between the face of the garage and back of sidewalk and if no sidewalk is installed then the ordinance requires 20 feet between the garage and the back of the curb.

There was no further discussion of this petition.

**ZONING COMMITTEE  
STATEMENT OF  
CONSISTENCY**

The Zoning Committee voted 7-0 (motion by McClung Seconded by McMillan) to adopt the following statement of consistency:

The proposed rezoning is consistent with the *South District Plan* and the proposed density meets criteria in the *General Development Policies* for development at up to eight dwellings per acre, based on the information from the staff analysis and

the public hearing, and because:

- The plan recommends residential use; and
- The proposed density is 8.05 units per acre.

Therefore this petition was found to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The subject property is situated between a large institutional continuing care facility on the east and single family residential on the remaining sides; and
- The petition limits the number of townhome units to 35 and the density to 8.05 units per acre, which is consistent with the *General Development Policies*; and
- The rezoning will allow the property to be a transition between the more intense institutional and single family uses and provides the following:
  - Establishment of a 30-foot setback from the future back-of-curb along Old Ardrey Kell Road; and
  - Commitment for a 20-foot buffer from single family residential homes within 25-foot rear and side yard from single family residential homes; and
  - Architectural standards for the proposed units that address porches, stoops, building materials, and blank walls on corner/end units.

**Planner**

John Kinley (704) 336-8311