



Zoning Committee

## Zoning Committee Recommendation

Rezoning Petition 2019-080

January 2, 2020

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**REQUEST**

Current Zoning: R-8MF (multi-family residential) and R-5 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional) with 5-years vested rights

**LOCATION**

Approximately 11.15 acres located on the west side of Commonwealth Avenue and east of Char Meck Lane, north of Monroe Road.  
(Council District 5 - Newton)

**PETITIONER**

Seahawk Partner Holdings LLC

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-1 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be **consistent** with the *Independence Boulevard Area Plan* for a majority of the site, however, it is **inconsistent** with the recommendation for the northern portion of the site, based on the information from the staff analysis and the public hearing and because:

- The plan recommends residential uses up to 12 units per acre for the majority of the site.
- The plan recommends residential uses up to 5 units per acre for the northern portion of the site.

However we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The petition proposes townhomes at 12.0 DUA for the entire site.
- The proposal will add a mix of housing types to the area.
- The development will create new street connections and street stubs for future development and connections to Monroe Road.
- The plan commits to architectural standards, building heights limited to 45 feet, a buffer abutting single family homes, and buildings positioned to minimize visual impact from the adjacent single family neighborhood.

The approval of this petition will revise the adopted future land use as specified by the *Independence Boulevard Area Plan*, from residential up to 5 DUA to residential up to 12 DUA for a portion of the site.

Motion/Second: McClung / Nwasike  
Yeas: Gussman, Ham, McClung, Nwasike, Spencer,  
and Watkins  
Nays: Wiggins  
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 for the majority of the site and inconsistent with the plan for a portion of the site.

A commissioner asked about the connection to Levy Way. Staff explained that the connection would only be made if the Subdivision Administrator determined it was required during construction permitting. The commissioner stated they felt there were too many units proposed for only one way in and out.

A commissioner asked about considerations for similar projects in the same area with similar connectivity questions. Staff explained the Subdivision Ordinance is a separate Ordinance outside of the purview of the rezoning. Connectivity would be determined during permitting by the Subdivision Administrator. Staff clarified that at a minimum there will be two points of access and possibly three.

A commissioner made note that the rezonings would remove a significant portion of the tree canopy. A commissioner also noted that new trees would be planted that fit within the proposed development in addition to trees on the site that can be saved.

There was no further discussion of this petition.

#### **MINORITY OPINION PLANNER**

The petition should have a connection to Levy Way.

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