



Zoning Committee

## Zoning Committee Recommendation

Rezoning Petition 2021-186

April 5, 2022

---

---

**REQUEST**

Current Zoning: R-3 (single family residential)

Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

**LOCATION**

2.84 acres located at the intersection of Mallard Creek Road and Governor Hunt Road, west of David Taylor Drive.(Council District 4 - Johnson)

**PETITIONER**

Kinger Homes, LLC

---

**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

**To Approve:**

The petition is **inconsistent** with the *Northeast District Plan* (1996) recommendation of single family uses of no more than 4 DUA. The petition is **consistent** with *General Development Policies* (GDP) recommendation for density of no more than 8 DUA for the site.

- The plan recommends single family uses of no more than 4 dwelling units per acre.

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

- At 7.7 dwelling units per acre, this petition is inconsistent with the area plan's recommended density of 4 dwelling units per acre, but it is consistent with the area plan's recommendation of a residential use.
- The proposed development meets the locational criteria per the General Development Policies (GDP) for the proposed density of up to 8 DUA.
- The proposed project is generally consistent with the existing development pattern in the area, in particular with the existing townhomes to the southwest of the site.
- The request is a good opportunity and compatible use for an infill site between an existing residential neighborhood, an institutional use, and nearby multifamily uses.

The approval of this petition will revise the adopted future land use as specified by the *Northeast District Plan*, from single family residential uses of no more than 4 DUA to residential uses of less than 8 DUA for the site.

Motion/Second: Welton / Blumenthal  
Yeas: Blumenthal, Chirinos, Ham, Rhodes, Samuel and Welton  
Nays: None  
Absent: Spencer  
Recused: None

### **ZONING COMMITTEE DISCUSSION**

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

Chair Keba Samuel commented that she was happy to see the Governor Hunt Road alignment to the entrance of the community was worked out. She noted there was less connectivity within the development due to the site plan changes to accommodate the new drive. Commissioner Welton asked, were the roadway improvements that were going to be made in the first plan continuing in the second plan. CDOT staff responded that in the first plan a concrete median in the centerline of Mallard Creek Road was going to be installed. The purpose of that median was to restrict driveway access to right-in, right-out and not allow any unprotected movements from that driveway. Now that the driveway is moving to the signal, the petitioner will be required to restripe the existing median on Mallard Creek Road to a left turn lane to make sure the geometry works out for the intersection.

There was no further discussion of this petition.

### **PLANNER**

Michael Russell (704) 353-0225