



Zoning Committee Recommendation

Rezoning Petition 2021-241

June 7, 2022

REQUEST

Current Zoning: O-1(CD) (office, conditional)
Proposed Zoning: R-17MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 1.85 acres located at the southeast intersection of Sardony Lane and East W.T. Harris Boulevard, north of Rocky River Road.
(Council District 4 - Johnson)

PETITIONER

Jung Yim

**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:

This petition is found to be inconsistent with the *Newell Small Area Plan (2002)* from staff analysis based on the information from the staff analysis and the public hearing, and because:

- The adopted plan recommends office and multi-family uses up to 12 dwelling units per acre for the site.

However, 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:

- The petition is generally consistent with the existing development pattern in the area and is in context with the current use of the site.
- There is existing multi-family development to the north.
- The proposed location, use and density help to achieve the area plan's land use goal stating, "new development should be comparable in scale to existing neighborhoods" ..

The approval of this petition will revise the adopted future land use as specified by the *Newell Small Area Plan*, from office and multi-family uses up to 12 DUA to residential uses up to 17 DUA for the site.

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

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted changes since the public hearing, including to limiting the number of units with 2 bedrooms to no more than 33%; working with Duke Energy to provide services to the site; retention of an existing buffer and installation of an ornamental fence; and pedestrian connection to E. W.T. Harris Boulevard.

Commissioner Spencer asked if staff requested the 40-foot building height limitation or if it was proposed by the petitioner, since given the current housing crisis elimination of an entire floor may not be desirable. Staff responded it is unclear how the 40-foot height was determined and that there may need to be confirmation. At the request of Commissioner Samuel, staff identified the location of proposed fence on the site plan.

There was no further discussion of this petition.

PLANNER

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