



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2022-128

March 7, 2023

REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: R-8MF(CD) (multi-family residential, conditional)

LOCATION

Approximately 2.05 acres located on the west side of Mallard Creek Road, south of Silver Birch Drive, and west of David Taylor Drive.
(Council District 4 - Johnson)

PETITIONER

Kinger Homes, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **inconsistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Neighborhood 1.

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:

- Fronting Mallard Creek Road, a major thoroughfare, and sharing boundaries with existing multi-family uses and zoning, this is an ideal location for infill development on a site that is generally underutilized.
- The petition proposes up to 16 townhome units at a density slightly below 8 dwelling units per acre. The adjacent townhome development to the west, has a density just below 14 dwelling units per acre. This petition proposes similar land uses to the neighboring development but at a scale that allows for ample open space on the site.
- The proposal commits to an a sizable 40' rear yard on its western boundary against the townhome development, and 20' side yards along the rezoning's northern and southern boundaries.
- The application of the Neighborhood 2 Place Type is appropriate for this site given the bordering Neighborhood 2 and Neighborhood 1 Place Types, the

frontage along a major thoroughfare, and the general mix of compatible uses already present in the area, including the multi-family and institutional uses abutting the site.

- If approved, this petition would improve the site's pedestrian infrastructure with the installation of a 12' multi-use path along Mallard Creek Road.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 to Neighborhood 2 for the site.

Motion/Second: Rhodes / Lansdell

Yeas: Gussman, Harvey, Lansdell, Rhodes, Welton

Nays: None

Absent: Gaston, Russell

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the *2040 Policy Map*.

Commissioner Lansdell noted the importance of transportation infrastructure improvement projects to further mobility options in the area and added that this petition helps those goals. Commissioner Rhodes echoed Commissioner Lansdell's comments that improvement projects on this road are vital.

There was no further discussion of this petition.

PLANNER

Holly Cramer (704) 353-1902