



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2019-078

November 5, 2019

REQUEST

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

LOCATION

Approximately 41.9 acres located on the north side of Johnston Oehler Road, east of Prosperity Ridge Road, south of Interstate-485
(Council District 4 - Phipps)

PETITIONER

Charter Properties, Inc.

**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:

This petition is found to be inconsistent with the *Prosperity Hucks Area Plan* based on the information from the staff analysis and the public hearing and because:

- The plan recommends residential uses up to eight dwelling units per acre for part of the site (parcel 02931108A) and residential uses up to four dwelling units per acre for all additional parcels in the petition.

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:

- At 10.5 dwelling units per acre, this petition is slightly denser than what the adopted area plan recommends. However, the plan also recommends that residential uses bordering the activity center include a mix of housing types that serve as a transition from the denser mixed-use development to the surrounding lower density neighborhoods.
- This petition is consistent with the area plan's recommendation by providing a mixture of thoughtfully arranged housing types. At least 120 senior housing units will be located on the western portion of the site. This area is the closest to the activity center and will increase access and mobility for the senior residents. The remainder of the proposed multi-family development is located on the northern portion of the site, bordering Interstate 485. Townhomes and private streets paired with landscaped buffers provide an appropriate transition from the proposed multifamily development to the abutting single family uses.
- The petition's proposal for a childcare center is also consistent

with the area plan's note that neighborhood serving institutional uses may be appropriate if compatible with surrounding uses. A childcare center is considered compatible with the existing and proposed residential uses.

- The petition commits to enhancing the pedestrian environment, particularly through the construction a signalized pedestrian crossing to Mallard Creek High School, which will improve safety and connectivity in the surrounding area.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan* (2015), from residential uses up to eight dwelling units per acre or residential uses up to four dwelling units per acre to residential uses up to 12 dwelling units per acre for the site.

Motion/Second: McClung / Gussman

Yeas: Barbee, Gussman, Ham, McClung, Nwasike, and Spencer

Nays: None

Absent: None

Recused: None

ZONING COMMITTEE DISCUSSION

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

There was no further discussion of this petition.

PLANNER

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