



## Zoning Committee Recommendation

Rezoning Petition 2019-129

January 2, 2020

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**REQUEST**

Current Zoning: R-5 (single family residential)  
Proposed Zoning: R-6 (single family residential)

**LOCATION**

Approximately 0.34 acres located along the eastern portion of E. 35th Street between N. McDowell Street and Spencer Street.  
(Council District 1 - Egleston)

**PETITIONER**

Lee Mynhardt, Mynhardt Investments, LLC

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *36<sup>th</sup> Street Station Area Plan* with respect to proposed land use, based on the information from the staff analysis and the public hearing, and because:

- The Plan recommends residential uses at up to five dwelling units per acre.

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:

- While slightly denser than what is recommended in the *36<sup>th</sup> Street Transit Station Area Plan*, the plan also "supports opportunities for infill residential development with similar densities and design character as the existing mill village character" and notes that "moderate density may be appropriate in some areas."
- The request, which is ultimately to address the unique dimension and layout of the subject property and to create an infill residential unit on currently unused land, is supported by the land use plan policies that support the opportunities for residential infill. The request is in line with other approved rezonings (2012-080; 2007-087) in the area that have been submitted in order to subdivide a single parcel into two lots.
- The request will allow for the construction of a single detached dwelling unit fronting on a public street on a lot size that will closely match the character of the surrounding neighborhood.

The approval of this petition will revise the adopted future land use as specified by the *36<sup>th</sup> Street Transit Station Area Plan*, from residential up to five dwelling units per acre to residential up to six dwelling units per acre for the site.

Motion/Second: McClung / Watkins  
Yeas: Gussman, Ham, McClung, Nwasike, Spencer,  
Watkins, and Wiggins  
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**

William Linville (704) 336-4090