



## Zoning Committee Recommendation

Rezoning Petition 2020-100

November 4, 2020

---

---

### REQUEST

Current Zoning: R-3 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

### LOCATION

Approximately 4.9 acres located along the south side of Sharon Amity Road, east of Addison Drive, and west of Water Oak Road (Council District 5 - Newton)

### PETITIONER

Delray Ventures, LLC

---

### 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 *South District Plan*, based on the information from the staff analysis and the public hearing and because:

- The Plan recommends institutional use for this parcel.

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:

- The *General Development Policies* support the requested density of less than or equal to 12 DUA; and
- The proposal redevelops a parcel with an institutional use (Masonic Lodge) and would not result in the removal of existing homes.
- The *General Development Policies* would support over 17 DUA for the site. However, the petition proposes single family residential attached use with a density limited to 9.68 units per acre.
- The site is located adjacent to existing multi-family residential to the east, developed at 11.74 dwelling units per acre.
- The plan provides buffers adjacent to single family homes, larger than Ordinance minimum setback along the public street, and architectural design requirements that mitigate the projects impact on surrounding single family homes.
- Provides a transition of development intensity between the single family homes to the west and the adjacent multi-family development east of the site.

The approval of this petition will revise the adopted future land use as specified by the *South District Plan*, from single family use to Residential <= 12 DUA for the site.

Motion/Second: Kelly / Barbee  
Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike, Samuel, and Welton  
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. However, the proposed density is supported by the *General Development Policies*. Staff also noted that one outstanding issue remained related to stormwater.

The committee voted unanimously to suspend the rules to allow the petitioner's agent Collin Brown to respond to the stormwater issue. Mr. Brown explained that the request from Stormwater was to go above and beyond the requirements of the stormwater ordinance. The City has a stormwater project along the eastern edge of the site cutting through to the rear of the site. The petitioner is concerned that the City project and expanding their facilities beyond the Ordinance minimum requirements will adversely impact the proposed tree save area to the rear of the site that also acts as a buffer for adjoining single family homes.

A commissioner asked Mr. Brown if he believed the issue would be resolved. Mr. Brown responded that he believed it to be an agree to disagree issue.

There was no further discussion of this petition.

## **PLANNER**

John Kinley (704) 336-8311