

**ZONING COMMITTEE
RECOMMENDATION
March 29, 2006**

Rezoning Petition No. 2005-167

- Property Owner:** Dolphus Irvin Duckett, Jr., et al (six total owners)
- Petitioner:** Charter Properties, Inc.
- Location:** 55.0 acres south of W.T. Harris Boulevard, between Reames Road and I-77
- Request:** Change from R-3 (single family residential), R-5(CD) (conditional single family residential), and R-8MF (CD) (conditional multi-family residential) to R-12MF (CD) (conditional multi-family residential) and INST(CD) (conditional Institutional)
- Action:** The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition, based upon the following modifications:
- The day care center will connect internally with the multi-family development and will be provided with a left turn lane.
 - More specificity will be added to the internal sidewalk layout.
 - Tree save area has been reduced to 15% and the petition will deal with tree save and stormwater as a unified site.
- Vote:** Yeas: Carter, Cooksey, Howard, Hughes, and Ratcliffe
- Nays: None
- Absent: Farman and Sheild

Summary of Petition

This petition seeks approval for a 588-unit apartment community with a density of 10.7 units per acre. A large childcare center (up to 199 children) is also proposed.

Zoning Committee Discussion/Rationale

The staff reviewed changes that had been made to the petition since the public hearing. Staff noted that while the proposed density was not supported by the basic General Development Policies, it was supportable due to the Opportunities and Constraints criteria which added points for the monetary contribution for construction of a public greenway and the fact that this development was “sandwiched” between two higher intensity land uses.

Statement of Consistency

A motion was made by Mr. Cooksey, seconded by Mr. Howard, that the petition was consistent with the Opportunities and Constraints portion of the General Development Policies. That motion passed unanimously.

Vote

Upon a motion by Mr. Ratcliffe, seconded by Mr. Howard the Zoning Committee voted unanimously that the petition was reasonable and in the public interest and should be approved, as modified.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.