

**ZONING COMMITTEE
RECOMMENDATION
June 25, 2008**

Rezoning Petition No. 2008-056

Property Owner: Helen Readling, Edward and Christine Keller, Nancy Greene, and Jose and Felicita Lugaro

Petitioner: Hathaway Development Company

Location: Approximately 19.1 acres located on both sides of West Tyvola Road between Nations Ford Road and Tyvola Centre Drive.

**Center, Corridor,
or Wedge:** Corridor

Request: R-4, single family to R-17MF(CD), multi-family conditional district

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition based upon the following modifications:

- The petitioner has labeled the buildings along the northern property line, on the north side of West Tyvola Road, as garage apartments.
- The petitioner has noted that parking will meet the minimum ordinance requirements.
- The petitioner has provided an additional five foot wide sidewalk connection from the interior sidewalk on the northeast portion of the property, along the south side of West Tyvola Road to the sidewalk along Nations Ford Road.
- The petitioner has corrected the lighting note to indicate lighting fixtures will be shielded with full cut-off fixtures.
- The petitioner has clarified the note regarding transportation improvements to West Tyvola Road and Nations Ford Road.

Vote: Yeas: Howard, Johnson, Lipton, Loflin, Randolph, Rosenburgh, and Sheild

Nays: None

Absent: None

Summary of Petition

This request proposes to rezone 19.1 acres, located on both the north and south sides of West Tyvola Road, to R-17MF(CD) to allow a total of 274 multi-family units, with a combined site density of 14.3 dwelling units per acre. The request includes 12.05 acres on the south side of West Tyvola Road to allow 192 multi-family units, at a density of 15.9 dwelling units per acre. The request also includes 7.07 acres on the north side of West Tyvola Road to allow 82 multi-family units, at a density of 11.6 dwelling units per acre.

Zoning Committee Discussion/Rationale

Staff reviewed the petition noting that the petitioner has reduced the requested number of units from 286 to 274. Staff stated that all site plan issues have been addressed and the request is consistent with the *General Development Policies* and appropriate for approval.

Statement of Consistency

Upon a motion made by Commissioner Sheild and seconded by Commissioner Lipton, the Zoning Committee unanimously found this petition to be consistent with the *General Development Policies* and reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Sheild and seconded by Commissioner Johnson the Zoning Committee voted unanimously to recommend APPROVAL of this petition as modified.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.