

STAFF REPORT

March 25, 2004

No. 04RZ006 - Rezoning from Low Density Residential I District to Low Density Residential II District **ITEM 28**

GENERAL INFORMATION:

PETITIONER	Wyss Associates, Inc. for WEB Land Holdings, LLC
REQUEST	No. 04RZ006 - Rezoning from Low Density Residential I District to Low Density Residential II District
EXISTING LEGAL DESCRIPTION	A parcel of land described by metes and bounds from a point at the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 197.13 feet at a bearing N0°32'37" East, then travel 290.67 feet at a bearing N47°24'21" East, then travel 65.43 feet at a bearing N63°38'15" East, then travel 105.52 feet at a bearing N29°24'44" West, then travel along a 220.48 foot radius LHF curve with a chord bearing N89°49'9" West at a distance of 217.77 feet to the 1/4 Section Line, then travel 56.27 feet at a bearing N0°32'37" East, then travel along a 126 foot radius LHF curve with a chord bearing N66°19'10" East, at a distance of 27.28 feet then travel along a 168 foot radius RHF curve with a chord bearing S85°33'23" East, at a distance of 190.08 feet then travel along a 526 foot radius LHF curve with a chord bearing N52°01'54" East, as a distance of 14.93 feet, then travel 102.77 feet at a bearing N37°09'18" West, then travel 83.66 feet at a bearing N9°21'17" West, then travel 110.01 feet at a bearing N35°36'28" East, then travel 100.98 feet at a bearing N69°46'53" East, then travel 122.49 feet at a bearing N87°48'19" East, then travel 74.12 feet at a bearing S52°32'1" East, then travel 151.24 feet at a bearing of S73°30'07" East, then travel 68.30 feet at a bearing S30°03'20" East, then travel 109.62 feet at a bearing S59°33'24" East, then travel 95.06 feet at a bearing S53°05'12" East, then travel 126.15 feet at a bearing S19°3'52" East, then travel 213.10 feet at a bearing S0°4'24" East, then travel 437.22 feet at a bearing S45°54'33" West, then travel 551.31 feet at a bearing N89°27'23" West to the point of start, said parcel contains approximately 12.43 acres
PARCEL ACREAGE	Approximately 12.43 acres
LOCATION	East of Pevans Parkway

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EXISTING ZONING	Low Density Residential District w/PDD
SURROUNDING ZONING	
North:	Park Forest District/Low Density Residential District
South:	General Agriculture District
East:	Office Commercial District w/PDD/Medium Density Residential District w/PDD
West:	Park Forest District/General Agriculture District
PUBLIC UTILITIES	12.43 Acres
DATE OF APPLICATION	04/27/2004
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that the Rezoning from Low Density Residential I District to Low Density Residential II District be denied without prejudice at the applicant's request.

GENERAL COMMENTS:

The applicant has submitted a Rezoning request to change the zoning designation of the subject property from Low Density Residential Density to Low Density Residential District II. In addition, the applicant has submitted a Major Amendment to an Initial Planned Residential Development to allow a townhome development in lieu of a single family residential development on the subject property. In addition, the applicant has submitted a Layout Plat to subdivide a portion of the subject property, a 61.75 acre parcel, creating 42 townhome lots and leaving a 49.32 acre unplatted balance. (See companion items #04PL015 and 04PD010.)

On July 7, 2001, the City Council approved an Initial Planned Residential Development to allow for a mixed residential development on a 61.75 acre parcel, including the subject property. In particular, the Initial Planned Residential Development identified 21 single family residences to be located on the subject property.

The subject property is located at the eastern terminus of Pevans Parkway and is a part of the Skyline Pines East Development. Currently, the subject property is void of any structural development.

STAFF REVIEW:

On March 17, 2004, the applicant indicated that the proposed development of the subject property may be substantially revised. In addition, a revised legal description will be submitted as a part of a subsequent Rezoning request. As such, the applicant has requested that this Rezoning request be denied without prejudice. Staff is recommending that the Rezoning from Low Density Residential I to Low Density Residential II be denied without prejudice as requested by the applicant.