

Mr. Martin presented the case in which the applicant is requesting to rezone a total of 9.89 acres from Single-Family Residential (R-15) to a combination of Single-Family Residential (R-10) [4.18 acres], and Single Family Residential (R-6) [5.71 acres]. The subject properties are located at 3305 & 3317 Cherry Creek Road, which are along the west side of the road about 300 feet south of the intersection with Beckenridge Drive. This is also directly west of the traffic light intersection with North Oak Street Extension. Each parcel currently contains a single-family residence. The applicant is proposing to demolish both residences, combine the properties together, and then replat and redevelop the total property as a conventional single-family residential subdivision on public streets and lot sizes based on the proposed R 10 and R-6 zoning pattern. The R-10 portion of the development would have about 14 lots, and the R-6 portion about 20 lots (about 34 lots total).

The subject property is located within a Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of both R-10 and R-6 zoning.

The subject properties are the last remnants of a semi-rural estate subdivision with 5-acre lots along North Oak Street Extension and Cherry Creek Road, which was first developed more than 60 years ago. Over the past 35+ years in response to growth pressures along these road corridors, all of these lots have been redeveloping into higher density residential subdivisions as well as small office parks. Individual houses on 5-acre lots is no longer consistent with the surrounding land use, nor zoning patterns of the area.

This request is a classic example of proposed “infill development of a residential nature. However, the challenge in this case is how to balance or mitigate the existing pattern of low density residential on one side, and relatively higher density development on the other. The Windsor Park and Windsor-2 neighborhoods to the north and west are zoned R-15, while the Kingswood subdivision to the south is zoned PRD with an R-6-like lot pattern. Also to the south there is a vacant tract (1.7 acres) that is zoned R-P, which allows apartments or offices, To the east, through the street intersections is the Three Oaks Apartment complex. With this existing pattern of a graduated scale of density from one side of the property to the other, that applicant is proposing a transitional pattern of R-10 zoning next to the R-15, and regular R-6 zoning next to the PRD and R-P development. These proposed zonings are consistent with the zoning and land use patterns for the “overall area”, and serve as a transitional pattern between these opposing development densities.

Another point to consider in all of this is that of development access. Although the subject property abuts the existing R-15 development area, it has no direct means of access connection to that other neighborhood. However, the PRD development to the south contains two (2) stub-out streets into the subject property. By code, development of the subject property is REQUIRED to connect to this PRD development, unless a variance otherwise granted. Both the PRD development and the subject property each need more than one access connection to the City street system, and connecting through each other satisfies this requirement for both. Developing the subject property entirely as an R-15 subdivision with frontage along this portion