



Zoning Committee

REQUEST

Current Zoning: UR-2(CD) (urban residential, conditional)
Proposed Zoning: UR-2(CD) SPA (urban residential, conditional, site plan amendment)

LOCATION

Approximately 0.46 acres along the northwest side of Levy Way, north of Monroe Road, and west of Commonwealth Avenue. (Council District 5 - Molina)

PETITIONER

Tripointe Homes Holdings, Inc.

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **consistent** based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Neighborhood Center place type.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- The rezoning site is part of larger site rezoned via petition 2019-080 to allow up to 134 single-family attached residential units and is currently under construction.
- The proposed change will clarify when right-of-way improvements are required in relation to when construction occurs in Development Area C consistent with the original intent of the rezoning.
- The proposed site plan amendment retains all other commitments on the previously approved rezoning plan.
- Pedestrian and vehicle connectivity will continue to be provided throughout the project.
- Neighborhood Centers are easily and directly accessible from nearby neighborhoods to encourage walking and cycling, and to support the concept of a complete neighborhood. The Local Street network is well-connected, designed for slow traffic, and includes good

pedestrian facilities. Arterial streets provide for safe and comfortable pedestrian, bicycle, and transit travel along and across them for easy access to and from the Neighborhood Center and surrounding areas.

- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion

Motion/Second: Sealey / McDonald
 Yeas: Blumenthal, McDonald, Sealey, Shaw, Stuart, Winiker
 Nays: None
 Absent: Neeley
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the site plan amendment and noted that it is consistent with the *2040 Policy Map*. Staff stated the purpose of the request is to modify language with respect to phasing of the dedication of right-of-way for Levy Way in order to eliminate a conflict in Land Development permitting. Commissioner Shaw noted a resident who expressed concerns at the public hearing pertaining to connectivity and the fire turn around. CDOT staff responded to Commissioner Shaw’s request for input, stating they would be working with Fire to ensure there are no conflicts with respect to fire access. Commissioner McDonald commented the connection seems logical. Staff responded that with the original rezoning the neighborhood did not want the connection and the petitioner crafted the note in such a way to address their wish. Staff noted the council district representative at the time agreed with the neighborhood.

Chairperson Blumenthal commented that were this not a site plan amendment, the Zoning Committee might be looking at the request through a different lens.

There was no further discussion of this petition.

PLANNER

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