



## Zoning Committee Recommendation

Rezoning Petition 2022-060

September 6, 2023

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### REQUEST

Current Zoning: ML-1 (manufacturing and logistics, 1)  
Proposed Zoning: TOD-CC (transit-oriented development, community center) and TOD-TR (transit-oriented development, transition)

### LOCATION

Approximately 5.90 acres located on the west side of South Boulevard and east side of Old Pineville Road, north of East Woodlawn Road.  
(Council District 3 - Watlington)

### PETITIONER

Providence Group Capital

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### ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-2 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

#### To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* recommends Community Activity Center.

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 subject site is located directly adjacent to the LYNX Blue Line and is within a ½-mile walk of the Woodlawn Station.
- The TOD-CC zoning district may be applied to parcels within a ½-mile walking distance of an existing rapid transit station. The TOD-TR zoning district may be applied to parcels within a 1-mile walking distance of an existing rapid transit station.
- The rezoning of this parcel will allow the site to be redeveloped for transit-supportive uses.
- The site is directly adjacent to a number of parcels zoned TOD-CC and represents an ongoing shift in the area from auto-intensive and industrial uses to transit-oriented redevelopment along the Blue Line.
- The petition proposes the application of the more intense TOD-CC district for a majority of the site that is

directly along the Blue Line. The less intense TOD-TR district will be applied to the portion of the site that is against an existing furniture business in ML-1 zoning, which will create a notable transition across the site that allows for the denser development to be oriented along the transit corridor.

- The use of conventional TOD zoning applies standards and regulations to create desired form and intensity of transit supportive development, and a conditional rezoning is not necessary.
- TOD standards include requirements for appropriate streetscape treatment, building setbacks, street-facing building walls, entrances, and screening.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 4: Trail & Transit Oriented Development
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities

Motion/Second: Russell / Sealey  
 Yeas: Neeley, Russell, Sealey, Welton, Winiker  
 Nays: Lansdell, Whilden  
 Absent: None  
 Recused: None

## **ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that it is Choose an item. with the *2040 Policy Map*.

Commissioner Russell asked about the rationale for adding TOD-TR to the request. Staff responded that since it is a conventional petition, there are no identified uses at this time. The Zoning Committee voted to suspend the rules to ask the petitioner's agent why TOD-TR was added to the request. The petitioner's agent responded that they added TOD-TR to allow for additional flexibility in permitted uses and to establish a transition to the adjacent industrial uses and zoning.

Commissioner Lansdell asked about what type of road the small section of right-of-way next to Old Pineville Road on the site is and expressed concern for protecting pedestrians on adjacent roads. CDOT responded that the ROW in question is a private drive across the property. Commissioner Lansdell asked if there were plans to change that from a private drive. CDOT staff responded that there are no plans to change the classification that they are aware of. Chairperson Welton added that there are ongoing negotiations regarding that ROW and the ownership.

There was no further discussion of this petition.

## **MINORITY OPINION**

Commissioners expressed concerns with the street connections on and surrounding the site and stated that this proposal does

not comply with goals #1 and #5 of the *2040 Comprehensive Plan*.

**PLANNER**

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