



Zoning Committee

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**REQUEST**

Current Zoning: R-3 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 11.65 acres located on the east side of Mallard Creek Road, north of Governor Hunt Road, and west of David Taylor Drive.  
(Council District 4 - Johnson)

**PETITIONER**

Appaloosa Real Estate Partners

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**ZONING COMMITTEE  
ACTION/ STATEMENT  
OF CONSISTENCY**

The Zoning Committee voted 6-1 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

**To Approve:**

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

- The *2040 Policy Map (2022)* recommends the Neighborhood 1 Place Type for this site.

However, 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 petition would add to the variety of housing options in the area.
- The proposed building forms of triplexes and quadraplexes are consistent with the Neighborhood 1 Place Type.
- This petition proposes a minimum of 5000 square feet of improved open space at a location central and convenient to future residents to include the following: walking paths, landscaping, and seating areas.
- The petition commits to providing an 8-foot planting strip and 12-foot shared use path along the site's frontage along Mallard Creek Road.
- The increased density proposed by this petition could be supported by the existing bus service along Mallard Creek Road.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods

- 2: Neighborhood Diversity & Inclusion
- 5: Safe & Equitable Mobility
- 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

Motion/Second: Rhodes / Russell  
 Yeas: Gaston, Gussman, Harvey, Rhodes, Russell, Welton  
 Nays: Lansdell  
 Absent: None  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

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

Commissioner Welton asked if there were any pedestrian connections across Mallard Creek Road to the school. Staff responded that crosswalks were not provided.

The commissioners voted to suspend the rules and ask the petitioner two questions.

Commissioner Russell asked why the two alleyways dead-end and do not connect to the public street B.

The petitioner responded it was due to the proximity of the main access point on Mallard Creek Road and to provide on-street guest parking. They stated they were willing to explore providing that connection if it was allowed.

Commissioners asked if the petitioner was still contributing \$50,000 to the city for transportation improvements in the Mallard Creek Road area.

The petitioner responded that they offered a significant reduction in unit count and type from 283 multi-family units to 132 single family attached townhome style units and committed to a for sale only product rather than rental units instead of the contribution.

There was no further discussion of this petition.

**MINORITY OPINION**

Commissioner Lansdell expressed concerns over no crosswalk across Mallard Creek Road for the school and the outstanding traffic issues associated with rezonings in the area.

**PLANNER**

Michael Russell (704) 353-0225