



## PLAN REVIEW SHEET

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**Date: August 25, 2023**

**Petition #: RZP 2023-062**

**Address: 1912 Commonwealth Avenue**

**Request: CAC-2**

**Staff Contact: John Howard**

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The site is located along the proposed LYNX Silver Line light rail transit corridor and within ¼ mile of the proposed Pecan light rail station. CATS requests that a right-of-way reservation for the LYNX Silver Line be provided to accommodate the rail line and other required infrastructure. We suggest a coordination meeting between the developer and the Silver Line team to review the details of the requested reservation area, including the alleyway, utilities and other infrastructure. To aid with coordination with the Silver Line, CATS also requests a conditional rezoning petition for this site which should include the requested reservation.

### **UDO Section - 32.3 RAPID TRANSIT CORRIDOR RESERVATION**

**A.** If any portion of a Rapid Transit Corridor alignment, including transit station locations, that has been adopted by the Metropolitan Transit Commission (MTC) is located within the boundaries of a development project, that portion of the Rapid Transit Corridor alignment, as applicable, shall be deemed a Transit Reservation Area for purposes of this section.

**B.** None of the following shall be developed or otherwise located or modified anywhere within a Transit Reservation Area:

1. Any part of a new building or structure; or
2. Anything that, if removed in whole or in part, would damage a pre-existing building or structure or would prevent full and effective utilization of that pre-existing building or structure.

**C.** Within a Transit Reservation Area, only the following uses are allowed on an interim basis, and only if they fully comply with this section: surface parking, open space, and recreational areas. These uses:

1. Shall not involve any development that would violate item B above.
2. Shall not place anything within the Transit Reservation Area that, if wholly or partially eliminated or removed, would cause the development project or the underlying property, or any portion of the development project or the underlying property, to violate this Ordinance or any other applicable ordinance, law, or regulation.

**D.** Any use allowed within a Transit Reservation Area shall be promptly discontinued and removed from the Transit Reservation Area at the expense of the property owner, and without damaging the underlying property, whenever title to all or a portion of the Transit Reservation Area is acquired by the City.

**E.** Before developing or locating an otherwise permissible interim use within a Transit Reservation Area, the property owner shall obtain the City's written approval of plans for that interim use. Such plans shall be sufficient to demonstrate that:

1. The interim use shall fully satisfy this section, including item C above.
2. The property owner has made sufficient plans and preparations and has demonstrated financial capability to discontinue and remove the interim use when required by this section.

**F.** Except where a Transit Reservation Area is located on property zoned a UC Zoning District or a Transit Oriented Development Zoning District, the Transit Reservation Area will automatically expire 18 months after the property owner obtains land development approval.

- G.** Where a Transit Reservation Area is located on property zoned a UC Zoning District or a Transit Oriented Development Zoning District, the Transit Reservation Area shall expire on the earlier of:
1. The City acquiring title to the Transit Reservation Area; or
  2. A formal rescission by the MTC of the adoptions granted by the MTC for all Rapid Transit Corridor alignments, including any transit station locations, as applicable, that gave rise to that Transit Reservation Area.
- H.** The CATS Director, in consultation with the Planning Director, may reduce the size or duration (or both) of a Transit Reservation Area arising under this section if the CATS Director, in their discretion, determines that the reduction will not frustrate, delay, inhibit, or otherwise interfere with any City plans for a transit corridor or transit facility.



Image 1