



Zoning Committee Recommendation

Rezoning Petition 2022-193

May 31, 2023

REQUEST

Current Zoning: RC (research campus) and N1-B (neighborhood 1-B)

Proposed Zoning: RE-3(CD) (research, conditional)

LOCATION

Approximately 19.79 acres located on the east side of Legranger Road and west side of Interstate 85, south of West Mallard Creek Church Road.

(Council District 4 - Johnson)

PETITIONER

Brown Group, Inc.

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-1 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

The petition is **consistent** with the *2040 Policy Map* (2022) recommendation for the Neighborhood 2 Place Type for the majority of the site, but **inconsistent** with the recommendation for the Neighborhood 1 Place Type for a portion of the site.

- The *2040 Policy Map* (2022) recommends the Neighborhood 1 and Neighborhood 2 Place Types.

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:

- This petition proposes to add to the variety of housing in the area.
- The future residents of the proposed site will be well served by the Activity Center and Commercial uses in the area.
- The petition plans to provide two access points from Legranger Road.
- The petition proposes a 37.5-foot Class C buffer along the northern side of the property line and a 50-foot Class C buffer along the I-85 property edge.
- The petition proposes an 8-foot planting strip and a 6-foot sidewalk along the site frontage on Legranger Road, improving the pedestrian environment along this corridor.
- This petition plans to include an internal sidewalk and

crosswalk network to connect residences to the buildings on site and the sidewalks along the abutting public streets.

- The petition proposes open spaces throughout the site with amenity areas that include landscaping, seating areas, hardscape elements, dog Parks, pool, and/or shade structures.
- 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 to the Neighborhood 2 Place Type for a portion of the site.

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

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the *2040 Policy Map* recommendation for the Neighborhood 2 Place Type for the majority of the site, but inconsistent with the recommendation for the Neighborhood 1 Place Type for a portion of the site.

Commissioner Lansdell asked if there would be sidewalks and access along the gated emergency entrance on Legranger Road. CDOT stated that due to the shape of Legranger Road which dead ends and doesn't connect to the TIAA property and that the petitioner doesn't control a large portion along Legranger Road that they did not want site traffic to utilize it. The access road was a fire requirement.

There was no further discussion of this petition.

MINORITY OPINION

Commissioner Lansdell stated, "I think there is an opportunity when you are building a road and dealing with space such as this with sidewalks present and active opportunities within the site and not having these types of facilities to continue along new construction is a lost opportunity."

PLANNER

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