



Zoning Committee

REQUEST

Current Zoning: CC (commercial center)
Proposed Zoning: CC SPA (commercial center, site plan amendment)

LOCATION

Approximately 31.94 acres located along the east side of Interstate 485 and west side of Dutch Creek Drive, north of Rocky River Road.
(Council District 5 - Molina)

PETITIONER

MPV Properties

**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* recommends the Commercial Place Type.

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 proposes to amend a previously approved plan (petition 2017-042).
- The petition proposes an increase in the total number of allowed residential units from 515 to 739 units.
- The petition proposes a reduction in the total number of allowed commercial square footage from 191,000 square feet to 150,000 square feet.
- A proposal for a mixture of uses, including residential, is consistent with existing residential and nonresidential uses surrounding the site.
- The petition could facilitate the following 2040 Comprehensive Plan Goals:
 - 1: 10 Minute Neighborhoods
 - 2: Neighborhood Diversity & Inclusion
 - 7: Integrated Natural & Built Environments
 - 9: Retain Our Identity & Charm

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map (2022)* from current recommended Commercial place type to new recommended Neighborhood Center place type for the site.

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

ZONING COMMITTEE DISCUSSION

Staff reviewed the proposed amendments to the provided a summary of the petition and noted that the petition was inconsistent with the adopted plan because the Neighborhood Center place type better reflected the mix of residential and non-residential uses. Commissioner Lansdell inquired about the 2018 traffic impact study and inquired about changes since then. CDOT staff responded that the TIS and trip generation were assessed, and the site plan amendment would result in a decrease in trips. However, CDOT staff noted that the petitioner was still required to complete the same improvements. Commissioner Lansdell expressed concern that transportation improvements do not reflect travel other the car and lack in safety and equity. Commissioner Russell stated that the bar needs to be raised so that transportation improvements are not solely for cars and reflect the true intent of the 2040 Plan. Commissioner Welton noted the world has changed since the previous rezoning and the project provides needed housing.

There was no further discussion of this petition.

MINORITY OPINION

Commissioner Lansdell stated that there are remaining outstanding transportation issues impacting safety and equity that could be resolved via conditional notes.

PLANNER

Claire Lyte-Graham (704) 336-3782