



Zoning Committee

REQUEST

Current Zoning: NC (Neighborhood Center), N1-D (Neighborhood 1-D), and O-6(CD) (Office, conditional)
Proposed Zoning: CAC-1 (EX) (Community Activity Center 1, exception)

LOCATION

Approximately 2.839 acres bound by the south side of Central Avenue, west side of Piedmont Street, north side of Sunnyside Avenue, and east side of the Independence/I-277 Ramp.
(Council District 1 - Anderson)

PETITIONER

Central Avenue Multifamily, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **consistent and 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 Community Activity Center Place Type for the majority of the site; and
- The *2040 Policy Map* recommends the Neighborhood 1 Place Type on a portion of the site.

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:

- Located along Central Avenue and directly on the future Silver Line, this assemblage of parcels at the edge of the Sunnyside neighborhood is at a transitional intersection that must consider existing and planned infrastructure that encourages density while also building in design standards that are mindful of single family and middle density character.
- This is an exception conditional rezoning, an EX petition, and as such the petitioner requests modifications to quantitative zoning standards in exchange for committing to public benefits as justification for the requested flexibility of the ordinance. The requested EX provisions for

transparency, ground floor height, and architectural standards are in response to the specific elevation characteristics of the site as well as its location along future transit infrastructure. The other EX provision being requested is for flexibility in the height plane standards required for sites that are near the Neighborhood 1 Place Type. The base ordinance standard would limit building height to 50 feet for portions of a structure within 100 feet of Neighborhood 1 and 65 feet for portions of a structure within 200 feet of Neighborhood 1. This petition requests only a slight increase in height in two areas of the building envelope to allow for 70 feet in maximum height rather than 65 feet where within 200 feet of the Neighborhood 1 Place Type. This proposed building envelope and the resulting design will still maintain the intent of the Ordinance's height plane restrictions and these two areas deviating from the 65-foot height cap would not be immediately adjacent to any single family uses.

- The public benefits identified in this rezoning would help support pedestrian and transit infrastructure. The 16-foot shared-use path along the future Silver Line right-of-way could serve as a vital pedestrian connection for the community utilizing the light rail and nearby amenities along Central Avenue. This path will be properly amenitized in a way that is consistent to existing pedestrian paths along transit lines. As part of the redevelopment of the site and in anticipation of the future transit infrastructure, the petitioner also commits to relocating the existing sewer line, shifting what is typically a significant financial undertaking to the petitioner rather than the City. Separately from the EX benefits outlined in this plan, the petitioner will also utilize bonus menu provision options from Article 16 of the UDO to achieve any building height above 80 feet.
- The single family character of the Sunnyside neighborhood is recommended to stay intact as Neighborhood 1 on the 2040 Policy Map. As a result, it is necessary for this petition to build in adequate architectural buffers to these adjacent single family homes so that the design of the future development better transitions the more intense development to the low density residences along the site's periphery. The petitioner has added several architectural standards that will create a more compatible building design with the site's surroundings.
- A 50-foot building height cap will be maintained along Sunnyside Avenue and the vast majority of Piedmont Street as well as a 65-foot stepdown in height that is more interior to the site between the 85-foot and 50-foot height zones of the building.
- A small portion of the site is identified as Neighborhood 1 on the 2040 Policy Map. Although this rezoning is

inconsistent with that designation, it would bring these two small parcels into alignment with the rest of the block which is recommended for Community Activity Center.

- Although generally located at the edge of a single family residential area, the majority of this site and Central Avenue more broadly is recommended for Community Activity Center which envisions mid-sized mixed-use areas along transit corridors. Densification should be encouraged in areas like these which front major arterials such as Central Avenue and will also be along future light rail routes. This petition sufficiently balances the goals of the Community Activity Center while still maintaining sensitivity to surrounding residential properties.
- 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
 - 7: Integrated Natural and Built Environments Objectives

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 for a portion of the site to Community

Motion/Second: Winiker / Shaw
 Yeas: Neeley, Winiker, Blumenthal, McDonald, Shaw, Stuart
 Nays: None
 Absent: Sealey
 Recused: None

ZONING COMMITTEE DISCUSSION

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

Commissioner Stuart asked staff whether the National Green Building Standards, if sought by the petitioner, could benefit the surrounding community broadly. Staff responded that these building standards would only apply to the proposed structure in the rezoning area. Commissioner Shaw also added that the intent of green building standards is to lower the carbon footprint of developments.

Chairperson Blumenthal asked about where the traffic calming measures may occur. Staff responded that a traffic calming mechanism could occur at the intersection of Piedmont Street and Sunnyside Avenue but the final location of the traffic calming measures proposed for the broader area will be determined by CDOT in the land development process.

Chairperson Blumenthal also asked about the potential of the petitioner funding a new traffic signal. Staff responded that the conditions of the plan do note that the petitioner will fund a new signal but that is contingent on CDOT's approval in the land development process. CDOT added that the petitioner will need to do a signal analysis and the analysis would need to show that certain volume thresholds are met to warrant the signal. CDOT will also take into consideration various data points such as accidents in the area or proximity to existing signals.

Chairperson Blumenthal commented on how consideration should be given to how traffic may be impacted in this area with the development. He added that concentrating density around transit infrastructure makes sense particularly while extracting as much as possible from public benefits through EX petitions. The site plan and where it is now is a good compromise.

There was no further discussion of this petition.

PLANNER

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