



Zoning Committee

REQUEST

Current Zoning: UR-2(CD) (urban residential, conditional)
Proposed Zoning: UR-2(CD) SPA (urban residential, conditional, site plan amendment)

LOCATION

Approximately 1.57 acres located on the south side East Woodlawn Road between Old Woods Road and Fairbluff Place. (Council District 6 - Bokhari)

PETITIONER

Kyle Short

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-2 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be consistent with the *Park Woodlawn Area Plan* recommended land use but inconsistent with the density recommendation as amended by the prior rezoning based on the information from the staff analysis and the public hearing and because:

- The plan recommends residential land use; and
- The plan as amended by the prior rezoning petition 2016-137 recommends a density of seven units per acre.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- The development proposes 18 units at a density of 11.46 units per acre; and
- The currently approved site plan which amended the area plan allows 11 units at 7.01 units per acre. However, the area plan, when originally adopted, recommended up to 12 units per acre subject to three specific criteria: unit entrances along the public street, limited building height, and larger setbacks; and
- The proposal meets all three of the criteria by limiting heights to 40 feet, providing a 25-foot setback from the future back-of-curb along Woodlawn Road and committing to provide individual unit entrances to the end units along the public street; and
- The site plan amendment contains commitments designed to ensure that the project is compatible with the surrounding single family neighborhood. The commitments include a ten-foot "Class C" buffer around the perimeter of the property and

architectural standards for building materials and garage doors; and

- The project also supports future improvements to Woodlawn Road by placing the sidewalk and planting strip in a location to accommodate future widening, as recommended in the plan.

Motion/Second: Majeed / McClung

Yeas: Fryday, Majeed, McClung, McMillan and Nelson

Nays: Spencer and Sullivan

Absent: None

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan but the density is inconsistent with the plan as amended by the prior rezoning.

Zoning committee members had several questions about the buffers provided on the site, if there were changes to the buffer on the east side of the property related to the concerns raised by the speaker at the public hearing, and buffers that would be required if the property were proposed for a traditional multi-family district. Staff provided a summary of the buffer commitments on the rezoning plan. Staff explained they had spoken with the rezoning agent and understood that there was a discussion between the concerned neighbor and the petitioner and that a fence was offered but declined, and the preference was for evergreen plantings. The petitioner amended the note related to the buffer plantings to specify that any evergreen plantings provided would reach minimum eight feet height at the time of maturity. Staff also explained that if the property were to rezone to a traditional multi-family district then a 17-foot buffer would be required with four trees per 100 linear as opposed to the ten-foot wide buffer with three trees per 100 linear feet.

A zoning committee member asked about the area plan recommended density. Staff explained the originally the area plan recommended 12 dwelling units to the acre provided certain design criteria are met. The petitioner has met all the criteria. However, area plans are amended by rezonings, so the conditions of the previously approved rezoning limiting the density to seven units to the acre technically apply.

A petitioner asked about the plans for widening Woodlawn. CDOT staff explained that Woodlawn will be four lanes median divided, and that the petitioner is accommodating the additional space for bike lanes, turn lanes and median. The access would likely be ultimately restricted to right in, right out. The commissioner noted they did not find it difficult to enter and exit the site.

A commissioner noted that only one person attended the community meeting and asked if the notifications went out in the traditional way. Staff replied that they were unaware if the petitioner had other meetings with the neighbors. It was also

noted that this is the third similar rezoning for the site.

A commissioner recalled that at the hearing a question came up about trash collection. It was noted that the petitioner planned to utilize roll out containers, but if they did not they are providing space for a dumpster. Staff explained that the Ordinance was recently updated to limit the number of units that can be served by City roll out service to 11. Staff stated that they would take a look site plan and if necessary have the petitioner amend the note.

There was some discussion about the use of UR-2 zoning outside of the urban core and possible text amendments related to UR-2.

There was no further discussion of this petition.

MINORITY OPINION

The minority of the Committee indicated that the project density and impact are a concern.

PLANNER

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