

## Petition 2021-096 by Ascent Real Estate Capital LLC

### To Approve:

This petition is found to be **inconsistent** with the *36<sup>th</sup> Street Station Area Plan* with respect to proposed land use, based on the information from the staff analysis and the public hearing, and because:

- The plan recommends institutional and residential uses up to five dwelling units per acre for the site.

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's request for a mixture of uses (retail and multi-family) is similar in density and scale to recently approved rezonings in the immediate area (e.g., 2019-069).
- The requested height is consistent with the maximum height permitted (65 feet) under TOD-NC zoning, which is proximal to the subject property.
- The site is under .5 miles from a Blue Line transit station. The density proposed with this project is appropriate considering the site's proximity to rapid transit.
- The site is currently a mixture of vacant land and former institutional uses (place of worship). The redevelopment of this block's frontage along E. 36th Street will provide density close to transit without requiring the tear down of any existing single-family detached homes.
- The petition's proposed uses are complimentary to the 36th Street Station Area Plan's overall goal of community design by creating a "high quality urban environment by enhancing the identity of the transit station area through the creation of attractive streetscapes." This petition commits to streetscape improvements along all three streets it fronts and commits to a higher percent ground floor transparency percentage than is required in the MUDD district (60 percent committed/50 percent required) while providing improved urban open space through the creation of a retail courtyard space along E. 36th Street.
- The petition is proposing to protect adjacent single family uses from the structure's visual impact through stepdowns/stepbacks in height, parking deck screening, and an enhanced landscaped buffer between the parking deck and single family uses.

The approval of this petition will revise the adopted future land use as specified by the *36<sup>th</sup> Street Station Area Plan*, from institutional and single family residential up to 5 DUA to multi-family/retail uses for the site.

### To Deny:

This petition is found to be **inconsistent** with the *36<sup>th</sup> Street Station Area Plan* with respect to proposed land use, based on the information from the staff analysis and the public hearing, and because:

- The plan recommends institutional and residential uses up to five dwelling units per acre for the site.

Therefore, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)

### Motion:

### Approve or Deny

### Maker:

2<sup>ND</sup>:

### Vote:

### Dissenting:

### Recused: