



## Zoning Committee Recommendation

Rezoning Petition 2021-271

July 5, 2022

---

### REQUEST

Current Zoning: I-1 (light industrial)  
Proposed Zoning: TOD-UC (transit oriented development, urban center)

### LOCATION

Approximately 1.3 acres located on the south side of Cullman Avenue, west of East 36th Street, and east of Matheson Avenue. (Council District 1 - Egleston)

### PETITIONER

300 East 36 Development Holdings, LLC

---

### ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

#### To Approve:

This petition is found to be **inconsistent and consistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The policy map recommends Innovation Mixed-Use for the site which includes uses that are incompatible with the requested zoning district such as light manufacturing and warehousing; and
- The Innovation Mixed-Use place type supports a number of mixed uses that are allowed in the TOD-UC zoning district.

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 site is within a ½-mile walk of the 36<sup>th</sup> Street Station.
- The TOD-UC district may be applied to parcels within a ½-mile walking distance of an existing rapid transit station, or within ½-mile walking distance of an adopted Metropolitan Transit Commission (MTC) alignment station location.
- The site is located directly adjacent to a number of parcels with a TOD designation and is located directly along the LYNX Blue Line.
- This rezoning would allow for the site to be redeveloped to transit supportive uses.

The approval of this petition will revise the Place Type as specified by the *2040 Policy Map* (2022) from Innovation Mixed Use to Community Activity Center.

Motion/Second: Barbee / Harvey  
Yeas: Barbee, Gaston, Gussman, Harvey, Russell  
Nays: None  
Absent: Rhodes, Samuel  
Recused: None

#### **ZONING COMMITTEE DISCUSSION**

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

Chairman Gussman commented that this petition shows that the *2040 Policy Map* offers general guidance, but is not parcel specific given that Community Activity Center would be a good fit here.

There was no further discussion of this petition.

#### **PLANNER**

Holly Cramer (704) 353-1902