



## Zoning Committee Recommendation

Rezoning Petition 2022-087

January 31, 2023

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### REQUEST

Current Zoning: R-3 (single family residential)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

### LOCATION

Approximately 11.65 acres located on the east side of Mallard Creek Road, north of Governor Hunt Road, and west of David Taylor Drive.  
(Council District 4 - Johnson)

### PETITIONER

Appaloosa Real Estate Partners

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### ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 4-2 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* (2022) recommends the Neighborhood 1 Place Type for this 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 would add to the variety of housing options in the area.
- This petition proposes a 50-foot class C buffer along all sides of the property adjacent to single family and low density lots.
- The petition commits to enhanced building design features such as usable porches and/or stoops for the townhome buildings on the site.
- This petition proposes a minimum of 5000 square feet of improved open space at a location central and convenient to future residents to include at least three of the following: pool area, walking paths, landscaping, or seating areas.
- The petition commits to providing an 8-foot planting strip and 12-foot shared use path along the site's frontage along Mallard Creek Road.
- The increased density proposed by this petition could be supported by the existing bus service along Mallard

Creek Road.

- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
  - 1: 10 Minute Neighborhoods
  - 2: Neighborhood Diversity & Inclusion
  - 5: Safe & Equitable Mobility
  - 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Neighborhood 1 Place Type to the Neighborhood 2 Place Type for the site.

Motion/Second: Gaston / Lansdell

Yeas: Gaston, Gussman, Lansdell, Welton

Nays: Rhodes, Russell

Absent: Harvey

Recused: None

## **ZONING COMMITTEE DISCUSSION**

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

Commissioner Welton asked how the petitioner's \$50,000 donation to the City is to be designated. CDOT responded that it could be used to fill a sidewalk gap near a City project in the area, but that it could also be used for other improvements in the Mallard Creek Road corridor.

Commissioner Russell noted that a crosswalk isn't provided on Mallard Creek Road which is a high speed, high-capacity road with an elementary school nearby.

Commissioner Lansdell had concerns with the lack of a pedestrian crossing within the proximity of a school. He doesn't think the petition meets goal 5 for Safe & Equitable Mobility of the *2040 Comprehensive Plan*.

There was no further discussion of this petition.

## **MINORITY OPINION**

A high traffic corridor needs pedestrian infrastructure for safe mobility before adding more units that will increase traffic in the area.

## **PLANNER**

Michael Russell (704) 353-0225