



Zoning Committee

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**REQUEST**

Current Zoning: I-2 (general industrial)  
Proposed Zoning: UR-2(CD) (urban residential, conditional)

**LOCATION**

Approximately 1.16 acres located between Seigle Avenue and Harrill Street, west of Van Avery Street  
(Council District 1 – Egleston)

**PETITIONER**

CapRock, LLC

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**ZONING COMMITTEE  
ACTION  
VOTE**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition.

Motion/Second: Spencer / Nelson  
Yeas: Fryday, Majeed, McClung, Nelson, Spencer, and Sullivan  
Nays: None  
Absent: McMillan  
Recused: None

**ZONING COMMITTEE  
DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

Staff provided an overview of the petition noting that there are no outstanding issues, and pointed out an additional amendment that has been made regarding transportation. Staff also noted that the zoning ordinance requires a sidewalk connection from the development to Seigle Avenue. The site plan does not show the connection but notes that a variance may be requested for the connection. Staff indicated that either the variance must be approved prior to the City Council decision or the site plan should be amended to show the connection. The petitioner agreed to this request. A committee member asked if the zoning ordinance has noise requirements. Staff responded that there is a noise ordinance as part of the City Code, but the zoning ordinance has no requirements for noise abatement. A committee member asked the distance of the proposed development from the rail line. The petitioner's agent, Keith MacVean, answered that the railroad right-of-way is 50 feet, and the rail line is in the middle of the right-of-way. Mr. MacVean added that the proposed units are over 40 feet from the right-of-way, with side loaded 25 feet from the track and 20 feet from the right-of-way line. He also noted that the rail crossing is an above grade crossing, which will not require whistles to be blown.

There was no further discussion of the petition.

**ZONING COMMITTEE  
STATEMENT OF  
CONSISTENCY**

The Zoning Committee voted 6-0 (motion by Spencer seconded by Nelson) to adopt the following statement of consistency:

The proposed rezoning is inconsistent with the *Belmont Area Revitalization Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends single family residential uses, at a density of up to five dwelling units per acre.

However, this petition was found to be reasonable and in the public interest,

based on information from the staff analysis and the public hearing, and because:

- The subject property is located in an area identified as the Seigle South Target Area by the adopted plan in the heart of the Belmont Community; and
- New and rehabilitated homes in the area should be compatible in design character with the existing adjacent housing stock; and
- The proposed density exceeds the density of five dwelling units per acre recommend per the adopted area plan. However, the proposed infill residential land use is more consistent than the nonresidential uses permitted in the current industrial zoning; and
- The proposal provides upgraded streetscape along two of the three public streets. Streetscape along the site's frontage on Seigle Avenue will be upgraded if the existing retaining wall along the site's frontage is found to be unstable and has to be replaced.

**PLANNER**

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