



Zoning Committee

REQUEST	Current Zoning: NS (neighborhood services) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 3.69 acres located on Nolley Court, off of Galleria Boulevard, west of Monroe Road.
PETITIONER	Council District 6 - Bokhari The Housing Partnership

ZONING COMMITTEE ACTION VOTE	The Zoning Committee vote 6-0 to recommend APPROVAL of this petition. Motion/Second: Spencer / McClung Yeas: Fryday, Majeed, McClung, McMillan, Spencer, and Sullivan Nays: None Absent: None Recused: Nelson
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ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan. Staff pointed out that there are no outstanding site plan issues associated with the petition, that either end of the building will be limited to three stories and transition to four stories at the center, and a landscape area and potential tree save area will be provided between the parking to the rear and the abutting residentially zoned property.

Committee members commented that affordable housing is currently the top priority in the city, and the petition will provide affordability and walkability to surrounding uses, which makes it a viable project. It was added that all outstanding issues have been addressed, and the development will provide affordable housing to seniors. Staff was asked about the proposed height in comparison to abutting uses. Staff responded that three stories is consistent with the 40-foot height limit allowed in the R-17MF (multi-family) district, which may be increased with the increase of yard requirements.

A committee member stated that a number of complaints have been received regarding speeding on Nolley Court, and asked why CDOT is not allowing on-street parking on Nolley Court. CDOT staff responded that on-street parking would be allowed if it is recessed to provide proper distance between parked cars and traffic. However, the current 26-27-foot wide Nolley Court is not wide enough to allow formalized parking along an edge.

Discussion turned to the new driveway into the development that will create a four-way intersection along Galleria Boulevard. CDOT staff stated that the actual alignment will be worked out during permitting to ensure proper alignment, which may be done by shifting of the intersection or could conclude in a three-way stop.

A committee member pointed out that the reduction in the number of units resulted in reduced trip generation from 380 to 350 trips, and asked what traffic calming measures will be used by CDOT. CDOT staff responded that the Public Service division of CDOT typically waits until the development has been built before reacting. However, the division will monitor the site, and there are a number of traffic calming measures that can be utilized in response to future problems should they be warranted by the proposed development. Staff added that there is the option to have the petitioner set aside money for potential traffic calming measures, but traffic calming typically is not required for such a use; therefore such a request was not made. Without a contribution from the petitioner the city would be responsible for paying for traffic calming that may be needed in the future.

A committee member indicated displeasure with waiting until permitting to work out the design of the intersection noting that the current site plan does not allow room for shifting the entry over as CDOT suggested, and asked why it has not been resolved to date. Staff responded that the conditions there currently do not warrant traffic calming. However, it depends on the traffic calming device used; a fairly simple remedy can be done during permitting, and at low cost.

There was no further discussion of this petition.

ZONING COMMITTEE STATEMENT OF CONSISTENCY

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

The proposed rezoning is consistent with the *Independence Boulevard Area Plan*, based on the information from the staff analysis and the public hearing, and because:

- The plan recommends residential, office and retail uses.

Therefore 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 site is located on a vacant parcel that is surrounded by a mix of retail, office, and residential uses; and
- The proposed multi-family use is consistent with the *Independence Boulevard Area Plan*, and was previously rezoned via petition 2004-022 as part of a larger parcel for a multi-use, pedestrian-friendly development consisting of commercial and office uses and multi-family residential units; and
- The site is located in close proximity to a proposed but

- unfunded transit route proposed along Monroe Road; and
- The age-restricted dwelling units will offer a viable housing option in the area close to an existing bus line and potential future light rail line; and
- The single principal building is located along Nolley Court toward adjacent commercial sites, with parking to the rear of the building, and a 33-foot landscaped area and potential tree save area between the parking and adjacent residential property.

Planner

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