

**ZONING COMMITTEE  
RECOMMENDATION  
May 30, 2007**

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**Rezoning Petition No. 2007 - 59**

<b>Property Owner:</b>	Carlton Development, LLC
<b>Petitioner:</b>	John R. Poore
<b>Location:</b>	Northwest quadrant of the E. Independence Boulevard/Briar Creek Road interchange
<b>Center, Corridor or Wedge:</b>	Corridor
<b>Request:</b>	MUDD-O, Mixed-Use Development District, Optional, to UR-2(CD), Urban Residential, Conditional
<b>Action:</b>	The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition.
<b>Vote:</b>	Yeas: Carter, Chiu, Loflin, Randolph, Ratcliffe, and Simmons
	Nays: None
	Absent: Sheild

**Summary of Petition**

This petition proposes to rezone approximately 1.30 acres located on the northwest quadrant of the E. Independence Boulevard/Briar Creek Road interchange in order to allow the construction of 28 townhomes with garages. This subject property is located within the Southeast Transit Corridor. The nearest transit station proposed in the Draft Environmental Impact Statement (DEIS) is located on Independence Boulevard near Coliseum Drive. The subject property is within a ½ mile radius of the proposed station location, as well as within the 10-minute walk area. The Transit Station Area Principles (2001) would therefore be applicable.

The proposed residential use is inconsistent with the *Central District Plan* as amended through rezoning petition #2003-91. However, the use is consistent with the *Transit Station Area Principles* which support higher density residential uses within ½ mile of transit stations.

**Zoning Committee Discussion/Rationale**

Mr. Keith MacVean reviewed the petition with the Zoning Committee and noted all site plan issues had been resolved. There was no discussion pertaining to the proposal.

### **Statement of Consistency**

Upon a motion by Commissioner Carter , seconded by Commissioner Loflin , the Zoning Committee voted unanimously to find that this petition was inconsistent with the Central District Plan but reasonable and in the public interest.

### **Vote**

**Upon a motion made by Commissioner Carter and seconded by Commissioner Randolph, the Zoning Committee voted 6-0 to recommend approval of this petition.**

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.