



Zoning Committee

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**REQUEST**

Current Zoning: R-5 (single family residential, and UR-2(CD) (urban residential, conditional)  
Proposed Zoning: UR-2(CD) (urban residential, conditional) and UR-2(CD) SPA (urban residential, conditional site plan amendment)

**LOCATION**

Approximately 1.27 acres located on the north side of East 36th Street, east of Spencer Street.  
(Council District 1 - Egleston)

**PETITIONER**

Saussy Burbank, LLC

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**ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY**

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

The portion of the site currently zoned R-5 (single family residential) is found to be inconsistent with the *Blue Line Extension Transit Station Area Plan*. The remaining portion of the site, currently zoned UR-2(CD) (urban residential, conditional) is found to be consistent with the *Blue Line Extension Transit Station Area Plan* as amended by Petition 2017-071, based on the information from the staff analysis and the public hearing and because:

- The area plan recommends low density residential uses for the portion of the property zoned R-5 (single family residential).
- The area plan as amended by a previous rezoning for the portion currently zoned UR-2(CD) (urban residential, conditional) recommends single family attached dwellings.

However, we find this petition 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 on East 36th Street, which is a thoroughfare that serves as a feeder to the proposed transit station located on East 36th Street; and
- The proposal has buildings fronting East 36th Street, and Spencer Street with parking behind, and a tree save area at the corner of Spencer Street and East 36th Street; and
- Buildings are sensitive to and consistent with established adjacent single family detached dwellings as they have larger setbacks, usable porches and stoops, architectural elements that minimize garages, parking via internal driveways, and similar heights; and

- Proposed uses are compatible with surrounding residential and institutional uses; and
- Council recently approved rezoning petition 2017-071 that rezoned most of the subject site from R-17MF to UR-2(CD) to allow existing multi family structures to be redeveloped as townhomes. This current petition proposes to incorporate the corner parcel at 36th Street and Spencer Street into the development for a cohesive project in this quadrant of the block.

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

**ZONING COMMITTEE DISCUSSION**

Staff provided a summary of the petition and noted that portions are both consistent and inconsistent with the adopted area plan. A committee member pointed out that the loss of existing multi-family units and single family dwellings, and questioned why Housing and Neighborhood Service’s comments did not reference the potential loss of affordable units or request affordable units. Staff responded that Housing and Neighborhood Services comments on rezoning petitions proposing residential units are based on Housing Locational Policies.

Staff also noted that the majority of the subject property was rezoned via Petition 2017-71 and has current entitlements that limit what could be requested via this rezoning. Discussion ensued among the Committee about the affordable housing that is being lost as a result of rezonings, and the need for the staff analyses to point out the potential number of existing units/affordable units that are being lost. Staff responded that while there is currently no policy to do so, Planning will work with Housing and Neighborhood Services to generate the information as Planning already specifies the number of existing dwelling units on subject properties but will need Housing and Neighborhood Services to determine affordability.

There was no further discussion of this petition.

**PLANNER**

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