

To: City Plan Board **Item No. 2**
Date: September 17, 1998

From: Planning Division Staff

Subject: **Petition 151LUC-98 PB.** Coolidge Davis, agent for W.H. and Imogene Hartman and Alfonso and Nubia Hernandez. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from SF (Single-Family, up to 8 units per acre) to O (Office). Located at 1605 and 1617 Northwest 16th Avenue. Related to Petition 152LUC-98 PB.

Recommendation

Planning Division staff recommends approval of Petition 151LUC-98 PB.

Explanation

The subject parcels are contiguous properties with a combined acreage of 0.4 acres located at 1605 and 1617 NW 16th Avenue at the southeast corner of the NW 16th Terrace intersection. Parcels adjacent to the south and west carry a single-family land use and an RSF-1 (3.5 units per acre single-family residential district) zoning. Parcels to the north carry a residential low and residential medium land use and RMF-5 and RMF-7 (residential low and medium density residential) zoning. The parcels adjacent to the east extending to the 13th Street intersection carry an O (Office) land use and an OF (Office) zoning.

Should this petition be approved, office land use would extend to NW 16th Terrace, which is approximately 1,200 feet to the west of NW 13th Street. These petitions would add approximately 280 feet to the existing 900 foot extension of office and mixed use land use.

The parcels are not affected by an environmental overlay district, or by the Central Corridors district.

Currently, two Regional Transit System bus routes serve the subject parcels (Routes 3 and 10). In addition, the parcels front an arterial 4-lane street. The parcels are served by sidewalks along NW 16th Avenue, but this arterial does not contain on-street bicycle lanes, nor are there nearby off-street bicycle/pedestrian paths.

Office land use and zoning categories are often placed next to residential land uses because offices are considered transitional step-down uses and buffers between single-family and other more intensive uses.

The Future Land Use Element states that office designations shall be applied to compact office development, shall not encroach into viable residential areas nor expand strip development. Staff believes that the subject parcels provide a reasonably compact location because they are within walking distance of the NW 13 Street intersection (a reasonable walking distance is up to one-quarter mile, or a 5- to 10-minute walk). Because the land use amendment would extend office uses to the west along an arterial street, staff does not believe the amendment represents an

encroachment into residential areas. Also, the proximity to the NW 13th Street intersection indicates the amendment is not expanding strip development. Strip development is characterized by auto orientation, whereas this amendment will be pedestrian-friendly due to its proximity to the 13th Street intersection.

The NW 13th Street intersection is not yet designated as an activity center, but it is transitioning in that direction, as exemplified by the recent construction of the Walgreen's at the northeast corner. Future Land Use Element Policy 2.3.3 supports office land use in lower-intensity activity centers.

Site Location in Relation to Adjacent Land Uses

The subject parcels are adjacent to office land use to the east, and multi-family residential to the north. An office land use would be compatible with such uses. The subject parcels are adjacent to single-family residential property to the west and south. However, as noted above, office land use and zoning categories are often placed next to residential land uses because offices are considered transitional step-down uses and buffers between single-family and other more intensive uses.

Impact on Adopted Level of Service Standards

Potable water, wastewater, and solid waste capacity are all available at adopted level of service standards. Stormwater management concurrency is handled at the development review/subdivision stage. Transit service is available (Routes 3 and 10) and adequate, and public sidewalks serve the parcels along NW 16th Avenue. The current level of service for this segment of NW 16th Avenue is LOS "B". Approximately 10,000 daily trips can be added before the road reaches capacity. Therefore, there is adequate capacity on the road to handle the amount of trips generated by office development on the subject parcels. However, given that the subject parcels are within the NW 13th Street sub-area of the Central City Transportation Concurrency Management Area (TCMA), future development of the subject parcels will require mitigation in proportion to the transportation impacts generated by the development (see Transportation Mobility Element, Policy 1.8.7).

Applicable Goals, Objectives and Policies

Future Land Use Element
Goal 2

THE LAND USE ELEMENT SHALL FOSTER THE UNIQUE CHARACTER OF THE CITY BY DIRECTING GROWTH AND REDEVELOPMENT IN A MANNER THAT USES ACTIVITY CENTERS TO PROVIDE GOODS AND SERVICES TO CITY RESIDENTS; PROTECTS VIABLE, STABLE NEIGHBORHOODS; DISTRIBUTES GROWTH AND ECONOMIC ACTIVITY THROUGHOUT THE CITY IN KEEPING WITH THE DIRECTION OF THIS ELEMENT; PRESERVES QUALITY OPEN SPACE AND PRESERVES THE TREE CANOPY OF THE CITY. THE LAND USE ELEMENT SHALL PROMOTE STATEWIDE GOALS FOR COMPACT DEVELOPMENT AND EFFICIENT USE OF INFRASTRUCTURE.

Objective 2.1

The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, professional uses and industrial uses at appropriate locations to meet the needs of the projected population and which allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.

Policy 2.1.1

Land Use Categories on the Future Land Use Map shall be defined as follows:

Office

The office land use category identifies areas appropriate for office and residential uses. This category is intended to identify appropriate areas for professional and service uses, hospital and medical uses, compound and residential uses, and appropriate ancillary uses. Office designations shall be applied to compact office development; office designations shall not encroach in viable residential areas nor expand strip development. Residential uses in office districts shall be designed as infill, mixed use, compound use or shall accommodate existing residential development within the district. Densities shall not exceed twenty (20) units per acre. Land Development Regulations shall determine the appropriate scale of uses; and the specific criteria for the siting of private schools and churches. Floor area ratios in this district shall not exceed 2.00.

Policy 2.2.1

The City shall adopt Land Development Regulations that provide protection for adjacent residential areas and low intensity uses from the impacts of activity centers and other high intensity uses by separating intense uses from low intensity uses by transitional uses and performance measures. Performance measures shall address the buffering of adjacent uses both by landscape and site design. Regulation of site design shall address orientation; arrangement of functions within a site, such as parking, loading, waste disposal, access points, outdoor uses and mechanical equipment; and the preservation of site characteristics such as topography, natural features and existing tree canopy.

Policy 2.2.5

The existence of non-residential uses on one corner of an intersection need not indicate the development of all corners with the same or similar use nor does the existence of non-residential uses on a major arterial dictate that all frontage must be similarly used.

Policy 2.3.3

Mixed-Use Low and Office land use categories designated on the Future Land Use Map shall be used:

- a. To provide low intensity activity centers to meet neighborhood level needs;
- b. To accommodate existing strip development and encourage better integration of uses in those areas.

Transportation Mobility Element

Objective 1.3

The City shall require new development and redevelopment to be designed to augment mass transit and non-motorized access to community facilities, employment centers and activity centers.

Policy 1.8.7

In addition to the level of service requirements in Policy 1.1.1, development projects within one quarter mile of the segment of NW 13th Street between University Avenue and NW 29th Road shall be required to meet the following:

- a. Development projects on this segment must provide mitigation in proportion to the transportation impacts generated by the development in order to meet transportation concurrency compliance and the provisions of Policy 1.1.6. Special traffic studies may be required as a part of the development approval process to determine the proportional traffic impacts, as measured by trip generation, trip distribution, and intersection analysis, from the development. Mitigation shall include items such as, but not limited to: intersection and/or signalization improvements to improve roadway operation and safety; addition of dedicated turn lanes into and out of developments to maintain the level of service and safe operating conditions of the roadway; provision of transit shelters built to City specifications; dedication of right-of-way for the construction of bus turn-out facilities; construction of bus turn-out facilities; bus passes provided to residents or employees of a development; subsidies to the mass transit system which either increase headways or add additional bus service to the segment; a contractual agreement with the City for the provision of mass transit service on the segment; sidewalks and sidewalk connections to the public sidewalk; widening of existing sidewalks; dedication of right-of-way for the addition of bicycle lanes; ride sharing or van pool programs; reduction of curb cuts on existing sites; and/or provision of cross-access agreements or joint driveways.
- b. Development of new drive-through facilities, as defined in Policy 1.4.5, shall only be allowed from within existing or proposed shopping centers such that all access is internal to the shopping center. Each drive-through facility shall only be allowed a single drive-through lane.
- c. Parking in excess of that required by the Land Development Code shall not be allowed.

- d. Development plan design shall maximize the safe and efficient operation of this roadway segment in accordance with generally accepted professional traffic engineering principles and practices.

Applicant Information Coolidge Davis, agent for W.H. and Imogene Hartman and Alfonso and Nubia Hernandez.

Request Amend the Future Land Use Map from SF to O.

Existing Land Use Plan Classification SF

Existing Zoning RSF-1

Location 1605 and 1617 NW 16th Avenue.

Size 0.4 acres

Existing Use Residential

Surrounding Land Uses

North Vacant/Residential
South Residential
East Office
West Residential

Surrounding Controls	Existing Zoning	Land Use Plan
North	RMF-5 and RMF-8	RL and RM
South	RSF-1	SF
East	OF	O
West	RSF-1	SF

Recent Zoning History None.

Affordable Housing

This petition will have a negligible impact on the supply of affordable housing. Two modest-sized single-family houses will be lost with this proposal.

Respectfully Submitted,



Ralph Hilliard
 Planning Manager

RW:DM:DN

Addendum to Petitions 151LUC-98 PB and 152ZON-98 PB

At the August 20, 1998 Plan Board Zoning meeting, these two petitions were continued. Concern was expressed about the proposal to rezone the two parcels from single family to office zoning. The suggestion was made to return to the Plan Board in September with a PD rezoning petition, which led the Plan Board to continue the petitions.

During the hearing for the petitions, the Board expressed concerns about the intensity of the uses allowed in the office district. However, with the exception of day care centers, schools, and, possibly, places of religious assembly, all office uses are conducted in an enclosed building.

Most of the activity associated with a day care center is conducted within an enclosed building, except during "play" time. All residential districts allow some type of day care facility (adult and family day care are allowed in the single-family districts). Currently, a day care facility is located nearby along NW 16th Avenue, and is adjacent to single-family parcels.

The Board also expressed concerns about drug stores being allowed in the office district. However, drug stores such as a stand-alone Walgreen's or Eckerd's are not allowed in the office district. Drug stores and proprietary stores are only allowed when accessory to, and in the same building as, health services of offices of physicians, dentists and other health practitioners (for example, Westlab Pharmacy on Newberry Road near 43rd Street).

The applicant is now petitioning for a rezoning to OR (office residential) for the two parcels. Staff has analyzed the difference between OR zoning and OF zoning (see attachment). In general, the OR zoning allows a larger set of permitted uses, such as various forms of residential uses. In addition, a larger set of small-scale, lower intensity non-residential uses are allowed.

On the other hand, OF zoning, in some ways, is more intense than OR zoning because unlike OR, OF allows business services, the full set of communication services, blood banks, and various social services.

OR but not OF

	Conditions
Community Residential Homes	
Emergency shelters	
Family day care homes	
Rooming house	
Residences up to 20 du/ac	Not more than twice the average of adjacent residential. Since adjacent allows 3.5 du/ac, 7 du/ac allowed. Since the 2 lots are 0.4 ac combined, 2.8 du/ac allowed
Advertising	
Consumer credit reporting agencies, collection agencies	
Mailing, reproduction, commercial art services	
Personnel supply services	
Computer programming & related services	
Detective, guard, armored car services	
Community residential home >14 units	By Special Use Permit
Dormitories	
Social service homes & halfway houses	By Special Use Permit
Radio & TV broadcasting	Excluding transmitter towers

OF but not OR

	Conditions
Business services	Excluding heavy construction equipment and leasing
Individual & family social services during daylight hours only	Excluding adult day care centers, multi-service centers (neighborhood), temporary relief services, social service centers and youth centers
All communications (not just telephone, as in OR)	By Special Use Permit. Since the 2 lots are 0.4 ac combined, and blood banks only allowed on lots 2 ac, banks not allowed at site
Blood banks	site

OR (office residential) Zoning District

Uses by Right:

- Any accessory uses customarily and clearly incidental to any permitted use
- Community residential homes [In accordance with article VI]
- Compound uses
- Correspondence schools
- Day care centers [In accordance with article VI]
- Emergency shelters
- Family day care home [In accordance with state law]
- Newspaper establishments excluding on-site printing or warehouse facilities
- Personal fitting and sale of prosthetic or orthopedic appliances
- Places of religious assembly [In accordance with article VI]
- Professional schools [Cannot be located adjacent to property designated for single family on the future land use map of the comprehensive plan]
- Public services vehicles [In accordance with article VI]
- Roominghouse
- Residential uses up to 20 units per acre [Residential density cannot exceed more than two times the average permitted density of adjacent residential districts]
- Sales offices without warehousing, showrooms or retail space
- GN-074 Veterinary services [In accordance with article VI]
- GN-078 Landscape and horticultural services [Offices only, outdoor storage prohibited]
- MG-15 Building construction -- General contractors and operative builders [Offices only]
- MG-43 U.S. Postal Service
- GN-472 Arrangement of passenger transportation [Offices only, with no operation of passenger tours from the site]

- **GN-481 and 482 Telephone communications, and telegraph and other message services** [Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI]
- **GN-591 Drug stores and proprietary stores** [Only when accessory to and in the same building as health services or offices of physicians, dentists and other health practitioners]
- **Div. H Finance, insurance and real estate** [Excluding cemetery subdividers and developers (IN-6553)]
- **MG-72 Personal services** [Funeral services and crematories (GN-726) in accordance with article VI]
- **GN-731 Advertising**
- **GN-732 Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies**
- **GN-733 Mailing, reproduction, commercial art and photography and stenographic services**
- **GN-736 Personnel supply services**
- **GN-737 Computer programming, data processing and other computer-related services**
- **IN-7381 Detective, guard and armored car services**
- **GN-801 through 804 Health services**
- **GN-807 through 809 Medical and dental laboratories, home health care services and miscellaneous health and allied services not elsewhere classified** [Excluding blood banks]
- **MG-81 Legal services**
- **GN-839 Social services not elsewhere classified**
- **MG-86 Membership organizations** [Excluding GN-864, civic, social and fraternal associations]
- **MG-87 Engineering, accounting, research, management and related services** [Excluding IN-8734, testing laboratories, and IN-8744, facility support management services]
- **MG-94, 95 and 96 Public administration**

Uses by Special Use Permit

- **Bed and breakfast establishment** [In accordance with article VI]
- **Community residential homes over 14 persons** [In accordance with article VI]

- **Dormitory** [Must not abut property designated for single-family on the future land use map of the comprehensive plan]
- **Food distribution center for the needy** [In accordance with article VI]
- **Nursing and intermediate care facilities** [In accordance with article VI]
- **Private schools** [In accordance with article VI]
- **Rehabilitation centers** [In accordance with article VI]
- **Residences for destitute people** [In accordance with article VI]
- **Retransmission and microwave transmission towers** [Accessory transmission at heights higher than 100 feet in accordance with article VI]
- **Social service homes and halfway houses** [In accordance with article VI]
- **GN-483 Radio and television broadcasting** [Excluding transmitter towers]
- **IN-7997 Membership sports and recreation clubs**

OF (general office) Zoning District

Uses by Right:

- Any accessory uses customarily and clearly incidental to any permitted use
- **Correspondence schools**
- **Day care center** [In accordance with article VI]
- **Newspaper establishments** excluding on-site printing or warehouse facilities
- Personal fitting and sale of **prosthetic or orthopedic appliances**
- **Places of religious assembly** [In accordance with article VI]
- **Professional schools** [Cannot be located adjacent to property designated for single family on the future land use map of the comprehensive plan]
- **Public services vehicles** [In accordance with article VI]
- **Sales offices** without warehousing, showrooms or retail space

- GN-074 **Veterinary services** [In accordance with article VI]
- GN-078 **Landscape and horticultural services** [**Offices only**, outdoor storage prohibited]
- MG-15 **Building construction** - General contractors and operative builders [**Offices only**]
- MG-43 **U.S. Postal Service**
- GN-472 **Arrangement of passenger transportation** [**Offices only**, with no operation of passenger tours from the site]
- MG-48 **Communications**. [Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI]
- GN-591 **Drug stores and proprietary stores** [**Only when accessory** to and in the same building as health services or offices of physicians, dentists and other health practitioners]
- Div. H **Finance, insurance and real estate** [Excluding cemetery subdividers and developers (IN-6553)]
- MG-72 **Personal services**. [Funeral services and crematories (GN-726) provided the requirements of article VI are met]
- MG-73 **Business services**. [Excluding heavy construction equipment and leasing (IN-7353)]
- GN-801 through 805 **Health services**. [Nursing and intermediate care facilities in accordance with article VI]
- GN-807 through 809 **Medical and dental laboratories, home health care services and miscellaneous health and allied services** not elsewhere classified. [Excluding blood banks (see uses by special use permit)]
- MG-81 **Legal services**
- GN-839 **Social services not elsewhere classified**
- MG-86 **Membership organization** [Excluding GN-864, civic, social and fraternal associations]
- MG-87 **Engineering, accounting, research, management and related services** [Excluding IN-8734, testing laboratories, and IN-8744, facility support management services]
- MG-94, 95 and 96 **Public administration**

Uses by Special Use Permit

- **Bed and breakfast** establishment [In accordance with article VI]
- **Blood banks** [Must have a two acre minimum lot size]

- **Food distribution center for the needy** [In accordance with article VI]
- Private schools [In accordance with article VI]
- **Rehabilitation centers** [In accordance with article VI]
- **Residences for destitute people** [In accordance with article VI]
- **Retransmission and microwave towers** [Accessory transmission at heights higher than 100 feet in accordance with article VI]
- **GN-832 Individual and family social services during daylight hours only** [Excluding adult day care centers, multi-service centers (neighborhood), temporary relief services, social service centers (e.g., Salvation Army, etc.) and youth centers]

Land Use Designations

- SF Single Family (up to 8 units/acre)
- RL Residential Low Density (up to 12 units/acre)
- RM Residential Medium Density (10-30 units/acre)
- RH Residential High Density (21-100 units/acre)
- MUR Mixed Use Residential (up to 75 units/acre)
- MUL Mixed Use Low Intensity (10-30 units/acre)
- MUM Mixed Use Medium Intensity (14-30 units/acre)
- MUH Mixed Use High Intensity (up to 150 units/acre)
- O Office
- C Commercial
- IND Industrial
- E Education
- REC Recreation
- CON Conservation
- AGR Agriculture
- PF Public Facilities
- PUD Planned Use District

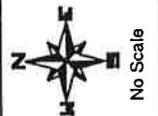
--- Division line between two land use districts
 — City Limits

Area under petition consideration



LAND USE

Name	Petition Request	Map(s)	Petition Number
Coolidge Davis	From SF To O	3849	151LUC-98PB



PETITIONS 151 LUC-98PB and 152 ZON-98PB
(980271) (980272)

HARTMAN

SECTION 26600-2604 STATE ROAD NO. (NW 16th Ave.) ALACHUA COUNTY

PARCEL NUMBER 114-R

RIGHT OF WAY

That part of:

Commence at NE corner of the Southeast Quarter of Section 31, Township 9 South, Range 20 East, thence run West 1150 feet, thence run South 16 feet to the point of beginning. From said point run West 150 feet thence run South 155 feet, thence run East 150 feet, thence run North 155 feet to the point of Beginning, described as follows:

Begin at the Northwest Corner of the above described parent tract; run thence Southerly along the Westerly line of above described parent tract Five (5) feet; run thence Northeasterly to the South right of wa, line of NW 16th Avenue, at a point Five (5) feet Easterly from the Point of Beginning; run thence Westerly along the South line of NW 16th Avenue, Five (5) feet to the Point of Beginning.

Containing 13 square feet, more or less.

HERNANDEZ

Commence at the NE corner of the SE 1/4 of Section 31, Township 9 South, Range 20 East and run West 1000 feet, thence South 15 feet to Point of Beginning; thence run West 150 feet; South 155 Feet; East 150 feet; North 155 feet to Point of Beginning. LESS land deeded to State of Florida, being that part of NE 1/4 of Section 31, Township 9 South, Range 20 East bordering on Michigan Avenue described as follows: Commencing at the Northeast corner of the SE 1/4 of Section 31, Township 9 South, Range 20 East, run West 1000 feet; thence South 15 feet to Point of Beginning; thence run West 150 feet; thence South 155 feet; thence East 150 feet; thence North 155 feet to Point of Beginning.

Lying within 50 feet of the survey line of Michigan Avenue extension as surveyed and located by the State Road Department and shown on Official map title Section 2600-104; said survey line being described as passing over and across said Section 31 as follows: Beginning on the West boundary of Section 31, Township 9 South, Range 20 East at a point 2651.6 feet North from a marble monument locating the Southwest corner of said Section 31; thence run South 89°42'43" East 5274.94 feet to the East boundary of said Section 31 at a point 2620.4 feet South from a R.R. Spike locating the Northeast corner of said Section 31; exclusive of area in existing road right-of-way.

adm
DTM

AL

2. **Petition 151LUC-98 PB** Coolidge Davis, agent for W.H. and Imogene Hartman and Alfonso and Nubia Hernandez. Amend the City of Gainesville Future Land Use Map of the Comprehensive Plan 1991-2001 from SF (Single-family, up to 8 units per acre) to O (Office). Located at 1605 and 1617 Northwest 16th Avenue. Related to Petition 152ZON-98 PB.

Mr. Dean Mimms was recognized. Mr. Mimms presented a map of the site and described it in detail. He explained that the petition had been continued from the August meeting to allow for review of the possibility of Office Residential or Planned Development zoning for the site. He indicated that the applicant had elected to proceed with the request for Office zoning. He presented a chart comparing allowed uses in both Office and Office Residential zoning categories. He noted that the board had expressed concerns about the intensity of some uses allowed by right in the proposed Office zoning. Mr. Mimms explained that staff believed the Office zoning category was more restrictive than the Office Residential. He discussed the uses allowed in the Office and Office Residential zoning categories.

Mr. Guy asked if there were technical difficulties in looking at a Planned Development.

Mr. Ralph Hilliard was recognized. He indicated that the petitioner would be better able to answer the question.

Mr. Coolidge Davis was recognized. Mr. Davis explained that a major factor in not proposing a Planned Development was cost. He offered to answer questions from the board.

Chair Barrow opened the floor to public comment.

Mr. David Atherton was recognized. Mr. Atherton indicated that he lived in the neighborhood directly south of the site. He cited concerns about the number of possible uses that might be proposed for the site.

Chair Barrow closed the floor to public comment.

Mr. Carter noted that widening of NW 16th Avenue had whittled away at the front yards of the houses. He pointed out that Office zoning was used as step-down zoning and he believed that Office would be a good use on the site. He suggested that the size of the lots would prohibit most uses other than actual office.

Chair Barrow agreed. He also agreed with staff that the Office zoning was more restrictive than Office Residential.

Mr. Guy stated that his concern was the loss of two modest, affordable homes in the area. He noted that the proposed change was on the edge of different uses. He asked if conditions could be placed on the petitions.

Mr. Hilliard explained that conditions could not be placed on straight land use and zoning petitions. He indicated that all activity in the Office zoning category, except playtime for a daycare center, had to be conducted within a completely enclosed structure. He noted that staff had found that most neighbors preferred to have office development because of the daytime hours of operation.

Ms. Dowling indicated that she too was concerned about the open-ended list of businesses that could be placed on the site under the Office zoning. She noted that the two parcels were abutting single family residential. She stated that she would be less concerned if she knew what type of business would be placed on the site. Ms. Dowling agreed that Planned Development would be more expensive and time consuming, but reiterated that she was concerned about the possibilities.

Mr. McGill indicated that he, also, was concerned about what might be placed on the site. He suggested that, if the zoning were changed, then the owner of the adjacent lot to the south could request that the change be continued deeper into the neighborhood. He agreed that losing two affordable residential homes in the area was not desirable. He suggested that the uses allowed in the Office and Office residential zoning were too much of a burden for neighborhoods around the site. Mr. McGill noted that, while the PD was a more expensive zoning process, it was important to allow controls on the types of businesses on the property. He suggested that a PUD would be more appropriate than a simple zoning change.

Mr. Davis requested clarification on the board's comments about the zoning category being open-ended.

Mr. McGill pointed out the list of allowed uses in the Office zoning district.

Mr. Davis asked what uses the board would like to eliminate.

Ms. Dowling explained that the board did not have the authority to eliminate any of the uses.

Mr. Davis asked what would be acceptable in a PD.

Mr. McGill explained that it would be the petitioner's burden to come before the board with an appropriate design. He reiterated that the board did not have the choice of eliminating any of the allowed uses in the zoning district.

Mr. Hilliard suggested that Mr. Davis was looking for guidance so that a PD might be structured in a manner that the board would approve.

Chair Barrow discussed the make-up of the neighborhoods and commercial areas. He agreed that, while there was some open-endedness to the list of allowed uses in the Office zoning district, a small scale professional services office would be appropriate in the location. He noted that it was difficult to specify which uses would not be appropriate.

Mr. McGill pointed out that a PD gave all parties a specific use to examine in the context of the neighborhood. He noted that it was not just owners of property that were affected by zoning. He indicated that he would like to know how the affected parties felt about a proposed development and a PD would provide a mechanism for that discussion.

Chair Barrow noted that the petitioners had indicated that they did not wish to pursue the PD option. He pointed out that the board had been discussing the petition for two months. He cited concern that the petitioner would return with a PD which would not be acceptable to the board or affected parties. He suggested that the board should either grant or deny the requested zoning change.

Mr. Hilliard explained that all the Plan Board dealt with was the use of a property. He noted that the design, layout and impact on the surrounding neighborhood would go through the site plan review process.

Chair Barrow indicated that he had attended Development Review Board meetings and that board gave a very thorough review to projects in their purview.

Mr. Guy agreed that the board should decide whether a change should occur. He suggested that an appropriate use would be office on the ground floor and residential units above. He cited examples of that design.

Mr. Davis explained that the enormous cost of a PD did not make it an option for the petitioners.

Chair Barrow agreed that a PD would require engineering and other services, which would be expensive.

Mr. Davis requested that the board either accept or reject the petition.

Mr. Shelton pointed out that the list of possible uses was constrained somewhat by the size of the property. He suggested that the end development would be small offices such as those on NW 10th Avenue near Office Depot. He noted that many houses on that street had been converted to offices. He stated that he would support the change to the Office category.

Mr. Carter agreed with Mr. Shelton that the size of the lots would constrain some development. He pointed out that the residential homes directly east of the two lots had been converted into offices. He suggested that economics would probably require reuse rather than demolition of the structures. He indicated that he would support the Office zoning.

Mr. McGill pointed out that the lot directly behind the two lots in question was currently single-family. He suggested that the owner of that single-family lot could come to the board and make the case that it was surrounded on three sides by Office zoning and, therefore, its zoning should be changed also. He noted that, if a single person or company purchased all three lots, it could end up with a significant development intruding into a single-family neighborhood. Mr. McGill suggested that the space restriction that existed currently on the lots was not necessarily a permanent condition.

Chair Barrow pointed out that the single-family lot behind the two lots in question did not front on NW 16th Avenue. He noted that any rezoning would come back to the board anyway. He suggested that the change in zoning would be a benefit to the neighborhood.

Mr. Shelton suggested that the homes were not suitable as affordable housing for families with children because of their proximity to a major highway. He reiterated that Office was the best use for the site.

<u>Motion By:</u> Mr. Shelton	<u>Seconded By:</u> Mr. Carter
<u>Moved To:</u> Approve Petition 151LUC-98 PB.	<u>Upon Vote:</u> Motion Carried 4-3 Yeas: Dowling, Shelton, Carter, Barrow Nays: Polshek, McGill, Guy

