

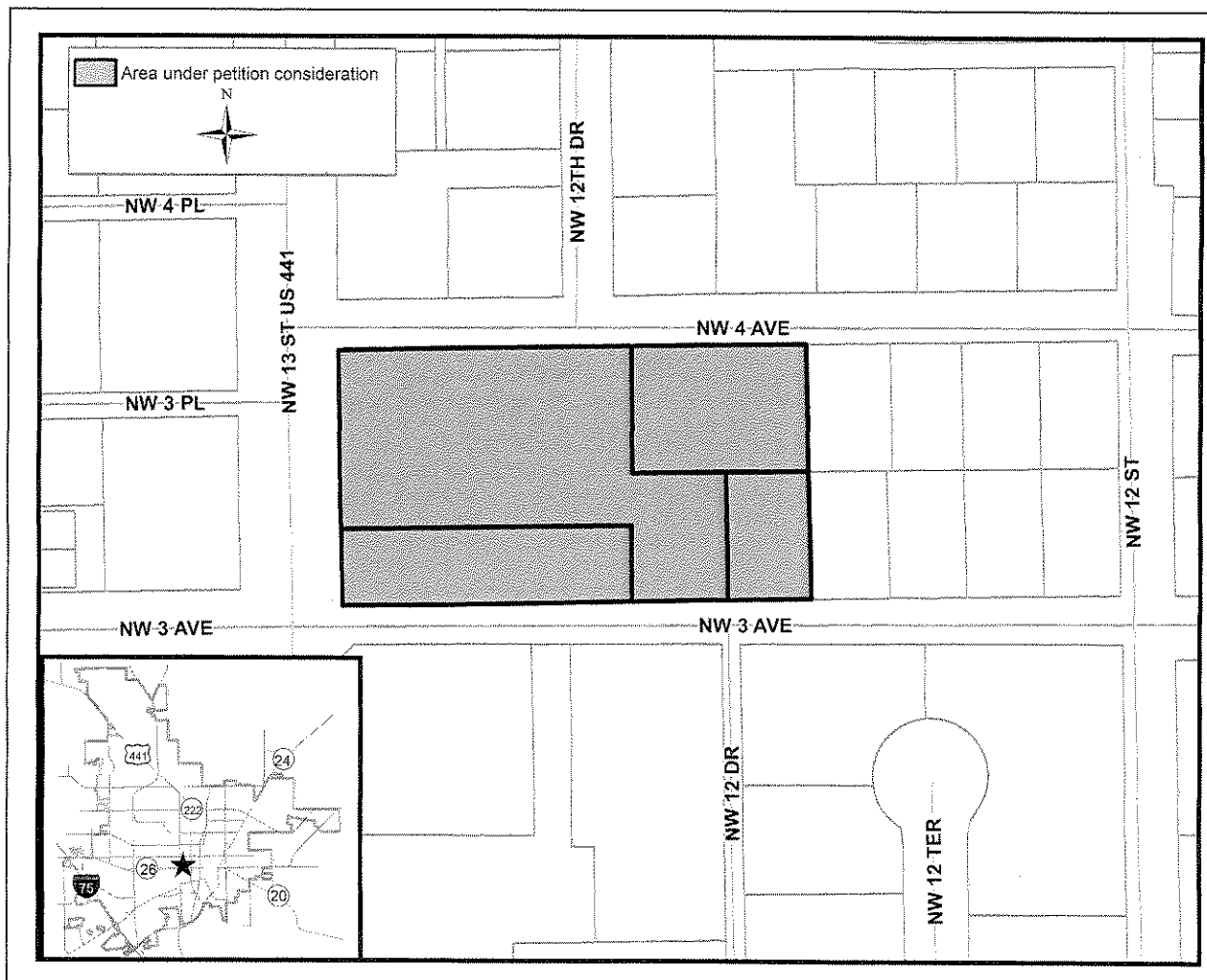
TO: City Plan Board **Item Number: 6**

FROM: Planning & Development Services Department **DATE:** October 24, 2013
 Staff

SUBJECT: Petition PB-13-85 PDA. Causseaux, Hewett & Walpole, Inc., agent for RBLWP Parcel D, LLC, and D. Bruce and Kristin S. Hawkins. Planned Development Amendment to allow construction of a mixed-use development zoned PD (Planned Development district); and rezone property from RMF-5 (12 units/acre single-family/multiple-family residential district) to Planned Development district (PD). Located at 303-319 Northwest 13th Street, 1227 Northwest 4th Avenue, and 1226 NW 3rd Avenue. Related to Petition PB-13-86 LUC.

Recommendation

Staff recommends approval of Petition PB-13-85 PDA with the revised conditions in this report.



Description

This petition requests an amendment to an existing planned use district, and the addition of another parcel to that planned use district. The existing PD property totals approximately 1.53 acres in size, and the new parcel will add another 0.14 acres at the southeast corner. The new parcel at 1226 NW 3rd Avenue is the currently developed with a single-family residence. The remainder of the property is developed with several small commercial buildings and another single-family house. Both the new parcel and the approximately 0.3-acre parcel located at 1227 NW 4th Avenue are located within the University Heights Historic District – North. Both of the single-family dwelling units located on the site are considered contributing structures to the historical character of the district. All four of the parcels that comprise the 1.53-acre property are located within the Traditional City Special Area Plan area and the Fifth Avenue/Pleasant Street Redevelopment Area. The map on the previous page shows the location of the subject property with the existing and surrounding zoning categories.

Most of the surrounding area along N.W. 13th Street is commercial in nature. To the south of the subject property is land with the Urban Mixed-Use 2 (UMU-2: up to 100 units per acre) land use and zoning designation. It includes a surface parking lot and parking associated with a drive-through restaurant. To the southwest, across 13th Street, is vacant land with PUD (Planned Use District) land use and PD (Planned development) zoning that was recently approved for the University Corners 10-story mixed-use development. Immediately to the west across 13th Street are retail uses, with Urban Mixed-Use 1 (UMU-1: up to 75 units per acre) land use and zoning. North of the property is a retail store with a large surface parking area with Mixed Use Low land use and MU-1 zoning. To the east and northeast of the property are single-family dwellings that are contributing structures to the University Heights-North Historic District, and which have Residential Low land use and RMF-5 zoning.

The purpose of the proposed planned development amendment (and related land use amendment) is to enable the applicant to construct a mixed-use redevelopment project that would include commercial and multiple-family residential uses. The attached PD Report (Exhibit A-1) outlines the proposed permitted uses within the development and some basic design standards. The allowed uses are a subset of the uses currently allowed by the UMU-2 zoning district, omitting certain uses such as rooming houses, day care facilities, limited automotive services, and hardware stores. The PD report describes a 7-story building on the site that will transition to a lower height to the east adjacent to the University Heights North neighborhood. The building will utilize a parking garage that will be accessed from entrances on NW 3rd and 4th Avenues. Solid waste collection and freight access will be contained within the garage.

A basic layout for the site is shown on the PD Layout Map (Exhibit A-2), which depicts the building envelope and setbacks from the streets and from the adjacent properties to the east. Development standards are listed on the layout map, including the allowed amounts of uses, maximum building height, building coverage, and setbacks. The PD Layout Map also notes several development requirements, including the minimum sidewalk widths of 10 feet on NW 13th Street, and 7 feet along NW 3rd and 4th Avenues.

PD Elevations (Exhibit A-3) are also included with this proposed amendment. These documents will ultimately be included as part of the adopted ordinance for this planned development. The

elevations show all four faces of the building and depict its general design, however they do not note the types of materials to be used on the exterior. A west-to-east step down in the maximum allowed height is also shown on the cross section elevation (from 7-story building, to 60-foot-high parking garage, to surface parking).

The major revisions from the existing approved PD are as follows:

- Removes the separate allowance for 20,000 square feet of office, and clarifies that a total of 26,000 square feet of ‘non-residential uses’ are allowed.
- Increases the maximum number of multiple-family units from 168 to 202, and increases the maximum number of bedrooms from 230 to 288.
- Reduces the overall maximum building height from 8 stories to 7 stories, and 106 feet to 85 feet.
- Allows for the highest portion of the building to extend further to the east (by approximately 50 feet).
- With the incorporation of the additional parcel, allows for the parking garage to extend further to the east (by approximately 75 feet).
- Removes a requirement to preserve an existing 56” heritage live oak tree on the site.
- Proposes that street trees be planted every 50 feet on average, rather than every 30 feet (this is consistent with the recently adopted new landscape regulations).
- Removes a requirement for exterior building materials to be brick on the first and second floors, and a combination of brick, stone and stucco on floors above. Also removes a requirement for the roof to be metal.
- Replaces streetscape cross sections with a defined ‘Urban Area’ along the street. The cross sections depict the specific configurations of curb, street landscaping, sidewalk, and building on each street frontage; the Urban Area is more flexible and simply defines the minimum distance from curb to building.
- Replaces the requirement for a garden wall along the eastern property line with a requirement for a landscape buffer.
- Proposes the removal and relocation of a second historic house from the southeast corner of the property.

Key Issues

- A 56-inch heritage live oak tree is located in the northeast corner of the site near 4th Avenue. City staff has recognized the tree to be of significance due to its quality and size, and originally recommended that it be preserved and incorporated into the development. Beyond the obvious environmental benefits of the tree, it would also provide a visual transition between the urban parking structure and the neighborhood, and would contribute to the development’s compatibility with the adjacent single-family structures. The existing approved PD includes a condition that requires preservation and protection of this tree within a proposed surface parking area. However, the new development scenario with the PD amendment extends the parking structure further to the east, and proposes removal of the tree. The recently adopted landscape regulations in

the Land Development Code now require substantial financial mitigation for such high-quality heritage trees, which would be assessed at the development review stage.

- There are historic contributing structures in the northeast and southeast corners of the site. This PD is to remove both of these historic houses for the purposes of constructing a parking garage that serves the development. The applicant has proposed to move both of the houses to another location within a historic district. PD Condition #20 reflects this intent, and requires Historic Preservation Board (HPB) approval for this to occur. The HPB has not provided approval for the relocation of either of these houses.
- About a half-acre of this PD is located within the University Heights-North Historic District, and the eastern end of the proposed development will be adjacent to existing historic structures on three sides. Even if the historic district were not in place, the development would still be adjacent to existing single-family dwellings on three sides. Therefore, the parking garage, which will directly face these uses, should be designed in a way that achieves reasonable compatibility with both the historic district and with the single-family neighborhood.
- The applicant proposes a build-to line of 11 feet (measured from the street curb) on both NW 3rd Avenue and NW 4th Avenue, and a build-to line of 10 to 15 feet on NW 13th Street. Staff is aware that the placement of street trees along 13th Street will be challenging, due to major utility lines running along the edge of the street, combined with Florida Department of Transportation road clearance requirements. It is also important to accommodate for the possibility of activities (such as outdoor cafes) that may occur within the streetscape area. Additionally, the Regional Transit System is requesting the inclusion of a bus stop along 13th Street, and this will also require additional space between the curb and building face. Therefore, staff is recommending a 15 to 20 feet build-to line on NW 13th Street to account for this situation (see PD Condition #6).
- The property is currently located within the Traditional City zoning overlay. There are urban design standards (such as building orientation and articulation) contained within the proposed PD conditions, which are intended to replace those that are presently applicable in the Traditional City overlay.

Justification

The PD zoning district was established specifically to allow for unique proposals which are not provided for by the standard zoning districts. The minimum requirements within Section 30-213 define the reasons that are needed to justify a rezoning to the planned development district. This section states that a rezoning to PD must meet one or more of the following:

- (1) Unique and promoted by comprehensive plan. The proposed development is unique. Although it does not fit within an existing zoning district, it is consistent with the city comprehensive plan, except it may require a land use change. Other options available under the existing zoning districts in the land development code would not allow the use and associated design elements of the proposed project.*

The 13th Street Mixed-Use PD is unique in its proposed vertical mixture of uses (retail and residential). In addition, the inclusion of a parking structure on this site is necessary to achieve the mix of uses and urban densities that are promoted in this part of Gainesville by the Comprehensive Plan.

- (2) *Size, scale, complexity and design. The proposed development is of such size, scale, complexity, and/or unique design that it would be inconvenient and inefficient to process such a proposal outside the PD process.*

The proposed PD will cover almost an entire block within the University Heights area and must be designed in a manner that appropriately relates to the surrounding streets, residential properties, and the historic district. The subject property included in this rezoning originally had four different zoning districts, with four accompanying different sets of standards and allowed uses. The integrated mixed-use development proposed by this PD would not be possible under the previous mix of zoning districts.

- (3) *Specialized compatibility and design characteristics. The nature of the proposed use at a specific site requires specialized design characteristics to preserve and protect neighborhood character, environmental concerns and other concerns unique to the immediate area, consistent with comprehensive plan policies.*

This is an urban infill project and therefore complex in its relationship to existing uses and infrastructure. The property is currently underutilized and is the site of a vacant car wash (a non-conforming use), a surface parking lot, one-story commercial buildings, and a vacant single-family structure. The proposed size of the development and its direct proximity to single-family uses and a historic district warrants special treatments in the design of the development that cannot be achieved with a straight rezoning. Staff is also recommending a condition that will specifically prohibit auto-oriented uses (drive-through uses and gasoline pumps) consistent with the Traditional City overlay. These uses would increase traffic congestion and be incompatible with the neighborhood.

Basis for Recommendation

The Planned Development meets the following criteria for Planned Development approval in Section 30-216 of the adopted land development code:

1. Conformance with the PD objectives and the comprehensive plan

The proposed Planned Development, with the conditions recommended by staff, is in conformance with the objectives in Section 30-211(b), as follows:

- (1) *Permit outstanding and innovative residential and nonresidential developments with a building orientation generally toward streets and sidewalks; provide an integration of housing types and accommodation of changing lifestyles within neighborhoods; and provide for design which encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as narrow*

streets, modest setbacks, front porches, connected streets, multiple connections to nearby land uses, and mixed uses.

This proposal is for a vertically mixed building that is oriented toward the three adjacent streets, incorporates facilities for pedestrians, bicyclists, and transit, and includes a mix of office, commercial, and residential uses. Pedestrian facilities will be constructed in the form of new wide sidewalks with street trees on NW 13th Street, 3rd Avenue, and 4th Avenue, and a pedestrian connection through the parking garage. Bicycle parking will be required along the street and within the development, and a bus stop with shelter will be incorporated along 13th Street.

- (2) *Provide flexibility to meet changing needs, technologies, economics and consumer preferences.*

The PD allows for a range of commercial uses to be adjusted according to market conditions.

- (3) *Preserve to the greatest extent possible, and utilize in a harmonious fashion, existing and outstanding landscape features and scenic vistas.*

There are no regulated natural resources (wetlands, surface waters, upland habitat) located on the site. The development proposes to remove and mitigate the existing heritage live oaks, which are the only outstanding landscape features on the property.

- (4) *Lower development and building costs by permitting smaller networks of utilities, a network of narrower streets, and the use of more economical development patterns and shared facilities.*

This development will utilize existing utilities in the vicinity and will access the existing street system within University Heights.

- (5) *Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.*

This is an infill development proposal, which will consolidate several properties with different zoning districts, and remove the existing one-story buildings on this currently underdeveloped site. This redevelopment would also remove a non-conforming use (the car wash) that previously existed on the site.

- (6) *Enhance the combination and coordination of architectural styles, building forms and building relationships within the development.*

The building design will be regulated as part of this PD through the submitted building elevations. The elevations depict a building design that provides a level of architectural detail and a scale that should relate successfully to the existing commercial development along 13th Street. However, the parking structure behind the building is proposed as a basic utilitarian structure that does not address the adjacent historic district or single-family uses. Staff is recommending that the parking structure design be revised to include materials and architectural details that

will improve the compatibility of the development with the historic single-family area to the east and north (see PD Condition #21).

- (7) *Promote the use of traditional, quality-of-life design features, such as pedestrian scale, parking located to the side or rear of buildings, narrow streets, connected streets, terminated vistas, front porches, recessed garages, alleys, aligned building facades that face the street, and formal landscaping along streets and sidewalks.*

This proposal will create a traditional urban streetscape along the three public streets, with wide sidewalks, street trees, and entrances facing the street. Structured parking will be incorporated to the rear of the building.

This planned development is implementing zoning for the associated PUD, and is consistent with the proposed requirements of that land use amendment. With the conditions proposed by staff, the proposed planned development amendment is also consistent with the City's Comprehensive Plan, particularly with Future Land Use Element Objective 4.2 regarding "the coexistence and integration of various land uses".

2. **Concurrency**

The development is located within Zone A of the TMPA. At the development plan stage, any redevelopment of this property will be required to meet the Transportation Mobility Element Policy 10.1.4 standards. The site is served by existing utilities. Official review from the School Board of Alachua County indicates that there is sufficient capacity at the assigned schools that would serve this development.

3. **Internal compatibility**

Development on the site is comprised of a multi-story building that will contain a mix of commercial and residential and an accessory parking structure. The site is located in an area that is appropriate for this mixture of uses. The development scale is proposed in a manner that will provide a transition across the site from the existing commercial uses along NW 13th Street to the single-family residential uses to the east.

4. **External compatibility**

The site is generally adjacent to commercial businesses on the west side and single-family development on the east side. There are also several multi-family developments within a few blocks to the south and west. The PD proposes a transitional step down in heights from the commercial area on NW 13th Street to the historic single-family neighborhood to the east. The elevations show a 7-story building (with 6 floors) and then a parking lot that is equivalent to a 4-5 story building. Staff is recommending that the parking structure design be revised to include materials and architectural details that will improve the compatibility of the development with the historic single-family area to the east and north (see PD Condition #21). A specific buffering requirement is being proposed to separate the parking structure from the adjacent structures in the historic district (Condition #15). Street trees will be required along the abutting streets, and these will

help to soften the appearance of the large building from the public right of way and create a pleasant environment for pedestrians on the public sidewalks.

5. Intensity of development

The proposed development on the site is of a relatively high density and intensity, but is consistent with the limitations in the Comprehensive Plan for high-density residential or mixed-use areas (per Future Land Use Element Policy 4.1.1, the adjacent UMU-2 designation allows 8 stories and 100 units per acre).

6. Usable open spaces, plazas and recreation areas

The usable open space for this development will be located along the street frontages, and will be in the form of urban street landscaping and wide sidewalks.

7. Environmental constraints

The only significant environmental feature on the site is the 56-inch live oak located near NW 4th Avenue. This tree will be removed and mitigated for by the development. Due to the previous uses on this property, Alachua County Environmental Protection has identified this as a potential site for contamination. The petitioner has also provided information that reveals underground contamination from offsite sources. During the development review process, further investigation will be recommended in the form of soil sampling, and development of the site will likely require some degree of excavation and cleanup prior to new construction.

8. External transportation access

This mixed-use development will provide vehicular access from two local roads: NW 4th Avenue and NW 3rd Avenue. This is preferable to providing access from NW 13th Street, which is heavily traveled by vehicles, bicycles and pedestrians at this location. Pedestrian traffic will access the development directly from the surrounding sidewalks through street-level entrances. There will also be a pedestrian connection constructed through the garage that will allow for pedestrians to move freely from NW 3rd Avenue to NW 4th Avenue. Some improvements will be made to NW 12th Drive so that it can carry the truck traffic from this development and still provide safe travel for pedestrians. Currently there are no sidewalks along this street, but PD Condition #16 will require the construction of a 6-foot-wide sidewalk along one side.

9. Internal transportation access

The proposed development will include a central parking structure that will provide internal vehicular access to the commercial uses and residential units. Public sidewalks will be constructed on three sides of the building to provide pedestrian access to the entrances along the street. Loading and unloading will take place in the garage.

10. Provision for the range of transportation choices

Facilities will be available to access the site via public transit, automobile, bicycle, or by foot. PD Condition #7, as proposed, will require adequate bicycle parking in the appropriate locations and also some scooter parking spaces on the ground floor of the parking area. Transit access will be required through a proposed PD condition for a bus shelter on NW 13th Street.

Additional Considerations

1. Unified control

The subject property is under the complete, unified, legal control of the petitioner, as demonstrated by the documents submitted with the PD application.

2. Phasing

The Planned Development proposes a single phase of construction, and the conditions will ensure that the necessary improvements to public infrastructure are completed prior to receipt of the first certificate of occupancy.

3. Development time limits

The Planned Development is proposed for completion within five years of the date of ordinance approval. A single 2-year extension of this time frame may be granted by the City Commission.

Recommended PD Conditions (showing changes in strikethrough/underline):

Condition 1. The permitted uses by right are as listed below. The GN, MG and Div. numbers are references to the Standard Industrial Code Classification of Uses, 1987 Edition and the references to articles are to the requirements stated in that article as set forth in the City's Land Development Code, as may be amended or renumbered from time to time.

SIC	Uses	Conditions
	Rowhouses	
	Multi-family dwellings (up to 100 units per acre).	An additional 25 units per acre may be added by special use permit
	Incidental residential accessory uses, including storage rooms, management offices, club or game rooms, and recreational and laundry facilities intended for use solely by the residents of the developments and their guests.	
	Consolidated apartment management offices	
	Bed and breakfast establishment	In accordance with article VI

	Day care center	In accordance with article VI
	Places of religious assembly	In accordance with article VI
	Outdoor cafes	In accordance with article VI
	Eating places	
	Research and Development in the Physical, Engineering and Life Sciences	
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
MG-43	U.S. Postal Service	
GN-471	Arrangement of passenger transportation	Offices only, with no operation of passenger tours on site.
MG-53	General merchandise stores	
MG-54	Food stores	Excluding gasoline pumps
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishing, and equipment stores	
MG-59	Miscellaneous retail	Excluding GN598 Fuel Dealers
Div. H	Finance, insurance and real estate	Excluding cemetery subdividers and developer (IN-6553)
MG-72	Personal services	Including funeral services and crematories in accordance with article VI and excluding industrial laundries (IN-7218)
MG-73	Business services	Excluding outdoor advertising services (IN-7312), disinfecting and pest control services (IN-7342), heavy construction equipment rental and leasing (IN7353), and equipment rental and leasing, not elsewhere classified (IN-7359)
GN-525	Hardware stores	
GN-701	Hotels and motels	
GN-752	Automobile parking	
MG-78	Motion picture	
MG-80	Health services	
MG-81	Legal services	
MG-82	Educational services	
MG-84	Museums, art galleries, and botanical and zoological gardens	
MG-86	Membership organization	
MG-87	Engineering, accounting, research, management, and related services	

Condition 2. The permitted uses shall be further restricted within Zones A; B and C as depicted and described in the PD Layout Plan and the PD report.

Condition 3. Drive-through facilities are prohibited. Drive-through facilities are defined as facilities that provide services mechanically or personally to customers who do not exit their vehicles, examples include, but are not limited to, banking facilities, payment windows, restaurant, food and/or beverage sales, dry cleaning and express mail services. The following are not considered drive-through facilities: auto fuel pumps and depositories which involve no immediate exchange or dispersal to the customer, such as mail boxes, library book depositories, and recycling facilities.

Condition 4. The location of buildings shall be located as shown on the PD Layout Plan. Minor shifts in building location (up to ten feet) may be authorized during development plan review, consistent with other requirements. ~~No structures are allowed within Zone B as shown on the PD Layout Plan.~~

Condition 5. The building shall be constructed with the exterior design as generally depicted in the elevations in the PD Layout Plan Maps. ~~The exterior building material shall be brick on the first and second floors of the building and a combination of brick, precast, cast stone or stucco on the third floor and above. The roofing material shall be metal.~~ The façade of the parking structure shall be designed to be consistent with the general design, texture, and colors of the principal buildings. The owner/developer shall provide color elevations with notations as to building materials for review and approval during development plan review.

Condition 6. The development shall meet the Community Redevelopment Agency streetscape standards that are in effect at the time of development plan review for the design and materials for sidewalks, crosswalks, handicap ramps, bicycle racks, and other relevant streetscape fixtures. ~~The location of elements of the streetscape (street trees, sidewalk, outdoor cafés and bus shelters) shall be provided within the Urban Areas identified on the PD Layout Plan. generally as depicted on the street cross sections in the PD Layout Plan Maps. A minimum unobstructed width of 5 feet shall be maintained along all street sidewalks. The required Urban Areas shall be measured from the back-of-curb to the building façade. The Urban Area along NW 13th Street shall be a minimum of 15 feet except where landscaping and/or street trees are provided then the Urban Area shall be a minimum of 20 feet. Urban Areas along NW 4th Avenue and NW 3rd Avenue shall be a minimum of 11 feet.~~

Condition 7. Bicycle parking spaces shall be provided along the streets and in appropriate locations internal to the site, at a rate of 1 space per every 4 bedrooms and 1

space per every 2000 feet of commercial or office floor area. The development shall also provide a minimum of 10 scooter spaces.

Condition 8. On all three street frontages, buildings shall provide a minimum of 50% glazing within the area between 3' and 8' above grade. This required glazing must be 80% transparent and shall not utilize painted glass, reflective glass or other similarly treated windows. Entrances with glazing may be counted toward meeting this minimum glazing requirement.

Condition 9. Individual uses on the ground floor shall provide functional entrances that face the street.

Condition 10. The first three high quality heritage trees per acre that are removed with the development shall provide a mitigation payment consistent with the requirements of the Land Development Code. The payment shall be provided prior to issuance of a certificate of occupancy. ~~The 56-inch diameter Live Oak tree shall be preserved on the property within a surrounding unpaved area of at least 400 square feet and with such other requirements of the City as are set forth during development plan review. The surface parking spaces and drive aisle adjacent to the tree shall utilize pervious pavement. If deemed necessary by the City Manager or designee during development plan review, the development shall provide an air-water exchange system designed to provide water and air to the tree roots beneath the pavement.~~

Condition 11. Shade street trees as listed in the Gainesville Tree List (reaching at least 40 feet in height at maturity) shall be planted every ~~30-50~~ foot on average along the streets abutting the PD. ~~Understory trees may be substituted for shade trees within the canopy area of the 56-inch diameter Live Oak tree.~~

Condition 12. The vehicular entrances to the parking garage shall be located as shown on the elevations in the PD Layout Plan Maps. No vehicular access is permitted from NW 13th Street.

Condition 13. A minimum 4-foot wide pedestrian pathway shall be provided through the parking garage vehicular access in order to connect the sidewalks on NW 3rd Avenue and NW 4th Avenue.

Condition 14. A 15-foot wide Type C landscape buffer shall be planted along the site's eastern boundary. The Type C landscape buffer shall include a minimum of three (3) shade trees, three (3) understory trees, and 25 shrubs per 100 linear feet. ~~A garden wall, with a minimum height of 8 feet, shall be constructed along the eastern property lines and along property lines where surface parking is adjacent to the street. The material of the wall shall be primarily brick, but may also incorporate stucco or cement materials, as~~

~~reviewed and approved during development plan review. The wall shall be architecturally compatible with the adjacent development within the historic district and with the buildings constructed on the property.~~

Condition 15. The owner/developer shall at its expense, install an FDOT approved traffic separator on NW 13th Street from NW 3rd Avenue to NW 5th Avenue along the existing center turn lane. The traffic separator will generally be a 2-foot-wide concrete separator for the entire length with a full width median separator at the center of the block for a distance of approximately 100 feet. The final design of the traffic separator shall be subject to review and approval by the FDOT by permit.

Condition 16. Prior to receiving a certificate of occupancy, the owner/developer shall improve NW 12th Drive from NW 4th Avenue to NW 5th Avenue as stated below. These improvements are required due to operational or safety issues and will not count toward TCEA program requirements or other transportation mitigation program requirements.

- (1) The developer shall evaluate whether the typical section including pavement widths, thickness and the non-curbed condition can support the projected traffic loading for two-way travel. If found to be insufficient, the typical section shall be widened and a structural course overlay and curbing of the entire roadway length may be required.
- (2) A 6-foot-wide sidewalk shall be installed along one side of the street.
- (3) The northern terminus (approximately 25 feet) of the roadway shall be re-graded to eliminate the valley gutter and dip. Type F curb-and-gutter radius returns shall be installed at the intersection with NW 5th Ave.

Condition 17. Due to the development's location in the University of Florida Context Area, prior to ~~final development plan approval~~ ~~the second reading of this Ordinance~~, the owner/developer shall sign a revised Context Area Transit Agreement for the ~~168~~ proposed number of multi-family units that meets the Concurrency Management Element Policy 10.1.14 requirements. ~~In the event that multi-family units are substituted for non-residential square footage as allowed by the PUD ordinance, the owner/developer shall execute a new or amended Context Area Transit Agreement for the net, new multi-family units prior to issuance of the final development order.~~

Condition 18. Plans depicting construction staging areas must be provided during development plan review. Construction staging shall be contained on the property to the extent possible. The owner/developer shall notify the construction contractors that all construction vehicles shall enter the site only from NW 3rd Avenue or NW 4th Avenue via NW 13th Street, as approved by the City Public Works Department, and shall not travel to or from the site along the neighborhood streets to the east of the site.

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Condition 19. If completion of the footer and vertical construction has not commenced within one year after the existing buildings have been removed from the site, the site shall be planted with grass and properly maintained.

Condition 20. The removal and relocation of the two historic contributing structures on the site will require approval from the Historic Preservation Board. These two structures shall not be removed prior to final development plan approval.

Condition 21. Revise the exterior design of the parking structure so that it utilizes materials and architectural elements that will be compatible with the surrounding historic structures. Redesign the western elevation as the exterior of a building wall, rather than an open stack of parking floors. Note the building materials on the elevations. The elevations of the parking structure must receive approval from the Historic Preservation Board prior to final development plan approval.

Respectfully submitted,



Ralph Hilliard
Planning Manager

Prepared by:



Scott A. Wright
Senior Planner

List of Appendices

Appendix A Application and Neighborhood Workshop

Appendix B Supplemental Documents

B-1 – PD Report

B-2 – PD Layout Map

B-3 – Building Elevations

Appendix C Technical Review Committee Comments