

**LEGISLATIVE #**

**110866H**

**Petition PB-12-8 PDA**, Ricardo Cavallino, agent for Los Volcanes. Planned Development Amendment to allow additional parking for an existing restaurant. Zoned: PD (Planned Development). Located at 4405 NW 39<sup>th</sup> Ave.

Lead Planner Lawrence Calderon made the staff presentation. Chair Ackerman said that he wondered whether the PD would have been approved had it included the proposed additional parking. Board Member Erin Condon asked if there will still be insufficient parking should the additional 30 on-site spaces be approved. Board Member Crystal Goodison asked if there have been any complaints from the neighborhood to the west. Mr. Calderon said that staff has not received any, and then asked Mr. Ricardo Cavallino, agent for the owner, to respond to the Plan Board.

Mr. Cavallino said that the applicant has met with the neighbors, heard their concerns, and has addressed them. In response to a question from Plan Board Member Stephanie Sims, he said that employee parking occurs on-site, and off-site, with permission of the off-site property owners. In response to Plan Board questions regarding the proposed reduction of the existing western buffer for additional parking, Mr. Cavallino said that an average buffer width of nine feet will be maintained, and that the applicant will meet with the City Arborist regarding trees in the buffer. He noted that the neighbors have expressed concern about maintenance of the masonry wall.

Ms. Monica Roberts, of the Koch Foundation, a neighboring non-residential occupant, expressed concern about cars backing into the driveway (which is the sole entrance to their parking lot). She also submitted a letter to the City Plan Board. Mr. Larry Wurn, of the medical facility located south of the Koch Foundation, said that it would have been preferable to address the additional parking with the original development approval. He said that the entrance along NW 39<sup>th</sup> Avenue near NW 43<sup>rd</sup> Street is somewhat of a bottleneck. Mr. Cavallino noted that an eastbound exit is being added.

Chair Ackerman asked that if the additional parking proves to be insufficient, what would the applicant do? Mr. Cavallino said that additional valet parking could be sought, and in response to a question from Board Member Erin Condon, Mr. Cavallino said that there are currently 48 valet parking spaces. Ms. Condon said that she considers the proposed addition of such a large number of parking spaces to be a bad precedent. Board Member Crystal Goodison said that she does not think it is a bad precedent but does think that the applicant did not anticipate how successful the new restaurant location would prove to be.

Chair Ackerman said that he did not think there was any bad faith involved with the original development proposal/approval in this severely congested area, and that he is confident that the masonry wall and the landscaping will provide an adequate buffer. Board Member Amisha Sharma said that the applicant has proposed a reasonable solution.

<b>Motion By:</b> Crystal Goodison	<b>Seconded By:</b> Danika Oliverio
<b>Moved To:</b> Approve Petition PB-12-8 PDA	<b>Upon Vote:</b> 7:0