



Planning and Development Department
Land Use Planning

MEMORANDUM

Date: July 28, 2004

To: Planning Commission

From: Allan Gatzke, Principal Planner

Re: Errata in the Staff Report dated July 28, 2004 and
Recommended Edits to the July 27, 2004 draft text amendments to the C-1 District
UNIVERSITY AVENUE STRATEGIC PLAN IMPLEMENTATION

STAFF REPORT

Lines 47 through 64: The list of text edits should include an additional bullet for lines 47 through 64 to identify the expanded draft language for "Purposes" requested by the Commission. The discussion of the "Scope of the Proposed Zoning Amendments at line 91 correctly identifies the intended changes to this section of the Zoning Ordinance.

DRAFT TEXT AMENDMENTS

The following proposed text edits to the July 28, 2004 Draft Zoning Ordinance Text Amendments have been provided to Staff since the Staff Report was completed. The proposed changes are noted and Staff concurrence with proposed changes is indicated:

1. Line 25 to 29: Delete the second sentence ("These standards...") but retain the parenthetical, "(refer to Official Zoning Map for location)" as part of the first sentence. STAFF CONCURS.

Current language: The regulations in this Chapter apply in all C-1 Districts "with the exception of standards that are specifically identified as applying to the University Avenue Strategic Plan Overlay. These standards are specifically identified as applicable to University Avenue Mixed-use and University Avenue Node Overlay areas (refer to Official Zoning Map for location)."

Proposed language: The regulations in this Chapter apply in all C-1 Districts "with the exception of standards that are specifically identified as applying to the University Avenue Strategic Plan Overlay (refer to Official Zoning Map for location)."

2. **Line 47 and 48:** Insert text to clarify source of purposes. STAFF CONCURS.

Current language: Implement permitted use regulations and building development standards for the University Avenue Strategic Plan Overlay area to:

Proposed language: Implement permitted use regulations and building development standards for the University Avenue Strategic Plan Overlay area “,as stated in the University Avenue Strategic Plan Goals,” to:

3. **At three locations, including:** Proposed Clarification. STAFF CONCURS.

P6, special requirements for Mixed Use Developments, (top of page)

p11, before line 139, footnote **

p11, before line 143, footnote **

Current language: Within the University Avenue Strategic Plan Overlay areas, “residential units and/or uses serving the residential use, such as leasing and management of the building, but not the use such as parking, are not allowed on the ground floor of a mixed-use building unless a use permit is granted (see use table).”

Proposed language: Within the University Avenue Strategic Overlay areas, “the following uses are not allowed on the ground floor of a mixed-use building unless a use permit is granted (see use permit table): residential units and uses (other than parking) which serve the residential uses, e.g. leasing and management of the building.”

4. **Line 163:** Insert proposed text. STAFF DOES NOT CONCUR. This would be a substantive change to the definition of setback in the zoning ordinance. A 6-foot projection into a 20-foot setback, as allowed in the ordinance, is not inappropriate. The staff does note, however, that if the project chooses to utilize the setback reduction to the minimum 6 feet on the ground floor, as provided in this section at line 170, a 6 foot balcony projection would potentially impact the adjacent neighbor.

Current language: Privacy Rear Yard Setback: Buildings on lots abutting a residentially zoned lot along the south side of University Avenue shall be set back from the rear property line an average of 20 feet....

Proposed Language: Privacy Rear Yard Setback: Buildings “,including architectural features listed in the table in 23D.04.030, on lots abutting a residentially zoned lot along the south side of University Avenue shall be set back from the rear property line an average of 20 feet....

5. **Line 170:** Change, “average of 6 feet” to “minimum of 6 feet”. STAFF CONCURS.

6. **Line 174 and 175:** Eliminate last sentence of the section. STAFF CONCURS.

7. **Line 178 and 179:** Eliminate, “adjacent to the commercial frontage portion” STAFF CONCURS.

8. **Line 222:** Section reference should be 23E.36.090.E and F, not 23C.36.090.E and F.
STAFF CONCURS.

9. **Lines 249-257:** Proposed clarification: STAFF CONCURS.

Current language: “Ground floor commercial uses within the Node Overlay areas shall be limited to permitted Retail Sales, Personal and Household Services, and/or Food Service. A use permit may be issued, subject to findings at section 23E.36.090.E, to allow Offices and other permitted commercial uses in the University Avenue Strategic Plan Overlay area. Providing that: 1) permitted Retail Sales, Personal and Household Services, and/or Food Service shall not be less than 50% of the total ground floor commercial requirement; and 2) Office uses shall be limited to no more than 25% of the ground floor commercial space requirement.”

Proposed Language: “Of the required ground floor commercial uses in projects in the Node Overlay area, no less than 75% shall be in permitted Retail Sales, and/or Personal and Household Services, and/or Food Service with the remainder allowed in other permitted commercial uses and/or Offices. The minimum percentage of required Retail Sales, and/or Personal and Household Services and/or Food Services may be reduced to no less than 50% by the ZAB with a Use Permit, subject to findings at section 23E.36.090.E. Office uses shall be limited to no more than 25 % of the ground floor commercial space requirement.”

10. **In section 23E.36.070.F.5 and 6,** Use of term “Agency” at lines 285, 290, 294, 299, and 303:

Change “Agency” to “Department” STAFF CONCURS.

