
ORDINANCE NO. O-1920-52

ITEM NO. 11b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	2 nd Act, L.L.C.
REQUESTED ACTION	Rezoning to CCPUD, Center City Planned Unit Development
EXISTING ZONING	Center City Form-Based Code, Urban Residential
SURROUNDING ZONING	North: CCFBC, Urban Residential East: CCFBC, Urban Residential South: CCFBC, Urban General West: CCFBC, Detached, and R-1, Single-Family Dwelling District
LOCATION	542 and 534 South University Boulevard
SIZE	1.22 acres, more or less
PURPOSE	Boutique Hotel
EXISTING LAND USE	Vacant, previously apartments
SURROUNDING LAND USE	North: Residential East: Commercial South: Parking lot West: Parking lot and Residential
LAND USE PLAN DESIGNATION	High Density Residential Designation

SYNOPSIS: The applicant is requesting to rezone this property from Center City Form Based Code, Urban Residential Frontage to Center City Planned Unit Development (CCPUD) to allow for the development of The Noun, a boutique hotel. A CCPUD is required for this project because the applicant would like to request an exception to the allowable building height along the west side of University Boulevard. The applicant is also requesting additional uses which are not allowed by right in the Urban Residential Frontage. Within this CCPUD the applicant proposes to relocate the First Presbyterian Thrift Store to 534 S. University and utilize the previous site for a parking area.

CCPUD BACKGROUND: During the review of the Center City Form Based Code, the question was asked, what to do with applications that need or want an option to vary from the regulations within the CCFBC? The option, establish Appendix B, Sec 520 Center City Planned Unit Development, within the Center City Form-Based Code. Appendix B was included to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City area.

Appendix B

Sec. 520 Center City Planned Unit Development

A. *Statement of Purpose:* *It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.*

Specifically, the purposes of this section are to:

- 1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.*
- 2. Provide open space/street space that is compatible with the concepts of the CCFBC.*
- 3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.*
- 4. Provide more efficient and economic use of land resulting in an urban/pedestrian environment.*
- 5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.*
- 6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affording housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.*

B. *Uses Permitted.* *The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.*

ANALYSIS: The applicant provided a CCPUD Narrative; this Narrative outlines the proposed uses and details of the development for this property.

PARTICULARS OF THIS CCPUD:

1. **USES:** The CCPUD Narrative states that the property's allowable uses shall be as follows:
542 South University Boulevard:

- Household Living
- Group Living
- Overnight Lodging
- Hotel/Overnight Lodging and related support services and amenities
- Banquet Hall, Conference Center, Entertainment Venue, Reception Area, and/or Meeting Space and associated activities
- Restaurant and/or Bar
- Art Gallery or Display Space
- Office Uses

(It is noted that the Center City Form Based Code already allows for this Property to be used as: *"residential/overnight lodging and related support services, such as lobbies, leasing offices, resident exercise facilities, etc."*)

534 South University Boulevard:

- Thrift Store/Donation Center or similar business
- It is noted that this is proposed as a relocation of the existing First Presbyterian Church Thrift Store on Tobermann Drive.

2. **SITE PLAN AND ACCESS:** The existing structure at 534 S. University Blvd is to remain as is, with interior remodeling as needed. The site will remain the same with one access point off S. University Blvd.

The proposed hotel development will be on the south portion of the property addressed at 542 S. University Blvd. The site plan proposes a hotel building with approximately 74,915 square feet. The hotel building will be setback from the north property line approximately 25' and will be built to the Required Build Line along S. University Blvd. The dumpster enclosure and patio/landscape area will be setback 40' from the north property line. There are two curb-cuts for this site. The first is located on the north property line and will be a one-way drive to be used as a fire lane and exit point. The second curb-cut is just south of the hotel building and will be a two-way access, entry and exit point. A 6' sidewalk will be installed along S. University Blvd.

The Regulating Plan in the CCFBC calls for a Pedestrian Pathway that follows south from the corner of Park Drive and Tobermann Drive and turns east to meet White Street. The Regulating Plan states this Pedestrian Pathway location is adjustable. The applicant is proposing this Pathway goes straight east from the corner of Park Drive and Tobermann Drive and follows the one-way exit fire lane on the north side of the hotel building. This Pedestrian Pathway will be adjacent to the fire lane.

3. **HEIGHT** The applicant is requesting a maximum height of four stories or 54' at the roof deck; excluding any necessary mechanical units, equipment, screening, or parapet walls. The portion of the building closest to residential neighbors on the northwest border of the property is planned to be only one story tall at 16'.

(It is noted that the Center City Form Based Code and the Center City Planned Unit Development allows for a maximum height of three stories along the west side of University Blvd. to the alley north of Apache Street. The applicant is requesting 8' more than the allowable height in the Urban Residential Frontage.)

4. **EXTERIOR MATERIALS** The CCPUD Narrative states exterior materials of the building may be brick, stone, synthetic stone, high impact quality stucco or EIFS, masonry, metal accents, and any combination thereof.
5. **PARKING** The proposed site plan shows 107 spaces are dedicated to the new hotel. The applicant has arranged shared parking with the owner of the parking lot south of the subject project for hotel guests. Bike parking will be provided on site by way of a minimum of 12 bike racks, two-bike capacity. The applicant has requested to be allowed to exceed any maximum parking requirements.

(It is noted that the CCFBC does not have a minimum parking requirement for commerce uses. The CCFBC does have a maximum for commerce uses in the Urban Residential frontage. The maximum for reserved spaces for this development is 150 spaces.)

6. **LANDSCAPING/OPEN SPACE** This CCPUD proposes a minimum of 15% open space. The applicant will provide street furniture, including tables, chairs, benches, and a seat wall as shown on the site plan.

(It is noted that the Urban Residential Frontage requires at least 15% of the total buildable area be preserved for open space.)

7. **SIGNAGE** The CCPUD narrative states that all signs on the property shall comply with the signage provisions of the CCFBC applicable to the Urban General Frontage. It also references locations on Exhibit B, which shows the name of the hotel, "NOUN," etched into the façade and a blade sign on the building along the frontage of S. University Blvd. Any additional signage will meet the requirements of the CCFBC.
8. **FENCING** The PUD narrative and submitted site plan propose a 6' privacy fence along the north property line to provide a buffer for the residential neighborhood. The fence line will also be landscaped.
9. **LIGHTING** The applicant is requesting streetlights be installed at a distance of 140' apart. The applicant/developer will take special care to ensure lighting on the northwest side of the hotel structure shall be limited to the extent practicable to be sensitive to nearby residents. Extra lighting will be provided around the drop-off area off S. University Blvd. to assist with nighttime use of the area.

(It is noted that the CCFBC requires streetlights be installed, aligned with street trees, at intervals of not more than 80'.)

OTHER AGENCY COMMENTS:

- **PUBLIC WORKS** Water and sewer are existing for this site.

- **TRAFFIC** The proposed new driveway is too close to White Street and violates the City's intersection corner clearance requirement. Commercial driveways need to be a minimum of 100 feet away from an intersection in order to avoid traffic flow problems at an intersection. The proposed new driveway is only 67 feet north of White Street.

- **GREENBELT COMMISSION** **May 7, 2020**

Commissioners send the item forward with the following comments:

The landscaping in the parking lot should be complete.

The parking agreements between OU and the church should be in place for the development.

- **PREDEVELOPMENT PD-09** **April 22, 2020**

The neighbors are concerned with the height of the proposed structure. They would like the development to follow "neighborhood manners" from the CCFBC. Neighbors are also concerned with noise, lighting, buffer space, and drainage.

CONCLUSION: Staff forwards this request and O-1920-52 for your consideration.