



## Legislation Details (With Text)

<b>File #:</b>	18-1061	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	10/16/2018	<b>In control:</b>		Town Council Meeting	
<b>On agenda:</b>	10/29/2018	<b>Final action:</b>			
<b>Title:</b>	Consideration of rezoning application for 430, 440, and 444 Maple Avenue West from C-1 Local Commercial Zone and RS-16 Single-Family Detached Residential Zone to Maple Avenue Commercial (MAC) Zone for the proposed 444 Maple project.				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 444 Maple Avenue Submission 5, 2. 444 Maple Proffers 10.15.18, 3. Applicant Incentives Sheet and Public Engagement Plan, 4. Responses to October 4, 2018 Work Session, 5. Summary of 444 Maple Design Changes 10.15.18, 6. Proffers 10.29.18 (002)-Amended and updated as of 10-29-18, 7. Redlined Proffers 10.29.pdf

Date	Ver.	Action By	Action	Result
10/29/2018	1	Town Council Meeting	approved	Pass

### Subject:

Consideration of rezoning application for 430, 440, and 444 Maple Avenue West from C-1 Local Commercial Zone and RS-16 Single-Family Detached Residential Zone to Maple Avenue Commercial (MAC) Zone for the proposed 444 Maple project.

### EXPLANATION AND SUMMARY :

The applicant has submitted proposed revisions to 444 Maple, the proposed MAC rezoning of a four-story, mixed-use building that includes up to 151 multifamily rental units (previously 160 units) located above approximately 20,000 square feet of ground-floor commercial space.

On July 9, 2018, Town Council held a public hearing on the proposed MAC rezoning. Town Council closed the public hearing on July 9, but kept the public record open until August 15, 2018 for written comments. The rezoning application was considered at the August 20 Town Council meeting, and at the request and consent of the applicant, was deferred to October 29, 2018. Town Council, prior to consideration of the rezoning application, held a work session with the applicant on October 4, 2018. Revisions to the application as well as transportation improvements were discussed.

Revisions to 444 Maple include changes to the massing and landscape plans as well as proposed transportation improvements. Some of the more significant changes include opening the covered plazas to the sky on both Maple Avenue and Nutley Street, combining the two covered plazas along Maple Avenue into one larger plaza/green space (approximately 30' x 68'), adding additional fourth-floor terraces around the building, proposing to extend the left turn lane on Nutley Street, and providing separate right and left turn lanes from the site onto Maple Avenue.

It should be noted that following the Planning Commission public hearing on May 23, 2018, the

applicant made several changes to the project in response to comments made at the public hearing as well as those made at the May 17, 2018 Board of Architecture Review (BAR) meeting. Some of the most significant changes included the following: sections of the top floor were set back six feet; segments of the façade were recessed by five feet instead of two feet; a portion of the elevated walkway along Nutley Street SW was removed and landscaping added on both sides of the sidewalk; the rear elevated courtyard was eliminated; and a 10-foot-wide planting buffer with evergreens was added along the rear property line, therefore no longer necessitating the request for a modification of requirements for landscaping.

**Departmental Recommendation** : Staff recommends that Town Council approve rezoning of 430, 440, and 444 Maple Avenue W from C-1 Local Commercial Zone and RS-16 Single-Family Detached Residential Zone to Maple Avenue Commercial (MAC) Zone for the proposed 444 Maple project.

**Finance Recommendation** : N/A

**Purchasing Recommendation** : N/A

**Town Attorney Recommendation** : On July 9, 2018, Town Council conducted a public hearing on the application for MAC rezoning and allowed written comments until August 15. The rezoning application was considered at the August 20 Town Council meeting and, with consent and request of the applicant, was deferred to October 29, 2018. On October 4, Town Council, prior to consideration of the rezoning application, held a work session with the applicant and discussed revisions to the application as well as transportation improvements.

After consideration of public testimony and written comments; recommendation of the Planning Commission; review for compliance with the terms, conditions, and site plan requirements for a MAC rezoning, Town Council may approve the proposed rezoning in its discretion.

**Town Manager's Recommendation** : After consideration of public testimony and written comments; recommendation of the Planning Commission; review for compliance with the terms, conditions, and site plan requirements for a MAC rezoning, Town Council may approve the proposed rezoning in its discretion.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: N/A

#### **PROPOSED/SUGGESTED MOTION**

"I move to approve rezoning of 430, 440, and 444 Maple Avenue W from C-1 Local Commercial Zone and RS-16 Single-Family Detached Residential Zone to Maple Avenue Commercial (MAC) Zone for the proposed 444 Maple project. Such rezoning is specifically conditioned upon and subject to written proffers submitted by the applicant."

Or

Other action deemed necessary by Council.