

BCNA Zoning Committee Minutes: March 29, 2006 7PM

Members Present: Will Burkhardt, Kris Hyatt, Sean Kelly, Brad Patterson, Chair, Cory Walton, Dave Wight, Jody Zemel

- 1) Jason Heinig & John Williams discussed their plans for **1209 South First Street**. This is the vacant lot across South First from El Mercado. They have approval from the city to operate a bazaar with temporary structures. They have a lease on the property through the summer. They plan to make some aesthetic improvements to the property and to create 12-15 parking spaces. The bazaar will operate only on Saturdays until dusk. They would like to have food and craft vendors. They plan to begin operation in April and one of the partners operates a shaved ice business. They are hoping for vendors or artists from the neighborhood. They would like this to be a family friendly endeavor. Issues such as parking, trash, and noise were discussed. No formal action was needed from the committee. Brad will post a message to the BCNA list serve about the project and their call for artists or vendors.
- 2) Richard Barge (Winston Capital), Jonathan Card (Lake/Flato Architects), and Amanda Morrow (Armbrust & Brown) presented the latest plans for the **San Jose Lofts project** (108 West Gibson, location of the Southside Church of Christ). Brad gave a report from the development teams early March meeting with the immediate neighbors (1200-1400 blocks of Newton, 1400 block of Eva). During that meeting, traffic and the size of the proposed building were the overriding issues. The developers took the comments of the neighbors as well as comments from the previous BCNA Steering & Zoning Committee meetings and revised their proposal in an attempt to address those issues.

The revised proposal reduces the number of units, breaks the single large building into multiple smaller structures, retains the underground parking but provides access from both Gibson & James Streets. The reconfiguration of the buildings eliminates the developer's need to seek a variance for the fourth story. The developer still seeks to change the zoning from MF-4 to CS with a conditional overlay negotiated to protect the neighborhood interests. The style of the buildings through their massing and the creation of courtyards is more akin to the architecture of the San Jose Hotel than the earlier proposals. The large live oak that had been proposed for relocation is now to remain in place, along with the other two oaks on the site. The rooftop pool was moved to ground level just behind the hotel and away from the neighbors. The breakup and reduction in building size and height may improve sightlines from some neighborhood locations and should preserve some airflow. The developers felt that their current proposal was architecturally superior and closer to their original vision for the project than previous schemes. Although there are still many details to be worked out, including the conditional overlay, the committee felt that the development team had truly attempted to address the various concerns of the neighborhood. Brad expressed that as an immediately-impacted resident he was not certain of the revision's improvement related to his property and the adjacent residents but that the overall project from an architectural and urban standpoint was dramatically better. The revised drawings will be posted on the BCNA website as soon as they are received electronically from the architect. Should the Steering Committee decide to proceed with negotiation, a return meeting with the close by neighbors would be important.

The maximum number of stories (not including underground parking) of the new design are reduced from 4 to 3. The requested maximum building coverage is reduced from 80% (51,980 ft²) to 60% (29,603 ft² in current scheme). The impervious cover is reduced from 75% (48,731 ft²) to 75% (45,290 ft²). The F.A.R went from 2:1 to 1.25:1 resulting in a square footage reduction from 129,950 to 75,200. The number of units was reduced from approximately 91 to 77 depending on final unit sizes.

Brad will request a project timeline from the developers. The development team would like to file an application for the zoning change next week in order to initiate staff review and eventual hearing before the planning commission and city council. It was expressed that if the BCNA chooses to proceed, it does not guarantee a final agreement can be reached and that the opinions of the immediate neighbors will continue to be valued.

The committee adjourned to executive session to discuss the proposal.

Some discussion was made regarding the developers previous willingness to pay for or reimburse any reasonable legal fees of the BCNA in crafting the agreement.

A motion was made by Sean and seconded by Will to recommend to the Steering Committee that negotiations proceed to work out the conditional overlay and any other necessary agreements. The motion passed 5-0 with 2 abstentions (Brad & Dave).

- 3) The upcoming (April 10th) **Treehouse variance** application was discussed. The Steering Committee previously voted to oppose any variance from the Compatibility Standards for the project. The committee is crafting a response to the variance application. The committee members are requested to review the draft response.
- 4) The city ordinance approving **vertical mixed use projects** was discussed. The neighborhood has 90 days from the March passage of the ordinance to object to the use of "vertical mixed use" on specific sites within the boundaries. The VMU designation would allow projects that meet the specific requirements to be exempt from setbacks, FAR restrictions, building coverage restrictions, and permit reduced parking requirements. The BCNA will need to examine the potential impact of this building type within the neighborhood especially in light of the neighborhood plan that created CS-MU zoning on both the South Congress and South First corridors.
- 5) The **Hyatt Redevelopment Project** was discussed. There is an application with the city for a Planned Unit Development (PUD). The project would include two 200 foot towers to the south of the Hyatt Hotel. Most of the site is already zoned to allow this height. Some variances from the waterfront overlay are requested in the PUD application. It was noted that there are one or two other additional but unrelated projects proposed adjacent to this site.
- 6) The BCNA has received notice of a hearing to **resubdivide the CS lot at 409 Monroe** and to receive a variance to allow the existing steps and seating area in the Critical Water Quality Zone (Bouldin Creek) to remain. At this point not enough information is known about the application to make a recommendation. The committee expressed concerns about the future use of the site including the seating area and how it might relate to outdoor music at Jovita's. The committee will need to get a copy of the application from the city.

9:30 PM Meeting Adjourned.

Next meeting scheduled for Wed. April 26th. Brad is not available on that date so meeting will be held at Jody's house at 1807 Eva Street.