

# Clerk File 314470 – J. Selig Real Estate Rezone 2501 NW Market St

KETIL FREEMAN, ANALYST

LAND USE COMMITTEE MARCH 22, 2023

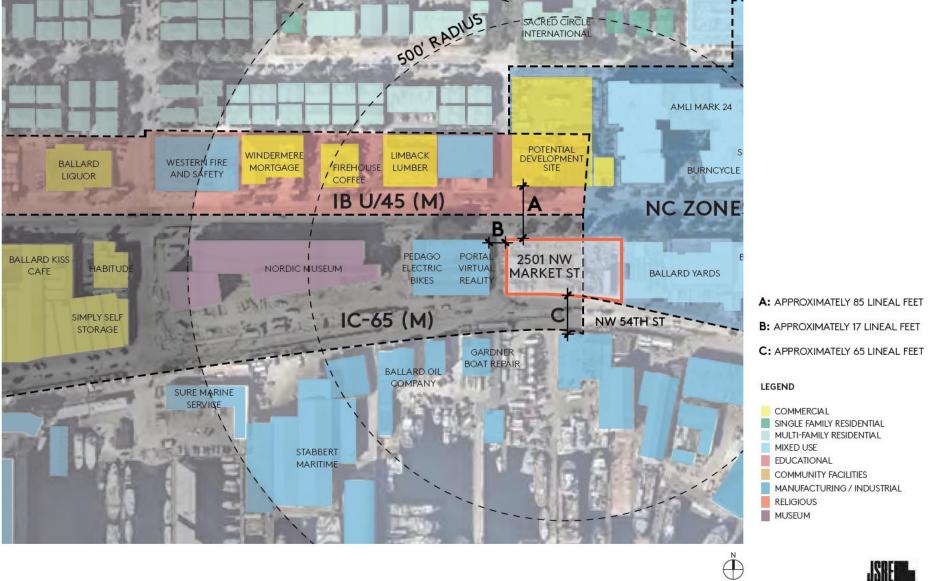
## **Type of Action**

- Type IV Quasi-judicial decision
- Quasi-judicial rezones are subject to the Appearance of Fairness Doctrine prohibiting ex-parte communication
- Council decisions must be made on the record established by the Hearing Examiner

### **Application Details and Procedural Posture**

- Proposed rezone of the western portion of a split-zoned site from Industrial Commercial with a 65-foot height limit and M Mandatory Housing Affordability (MHA) suffix (IC 65 (M)) to Neighborhood Commercial 3 with a 75-foot height limit, pedestrian designations and M MHA suffix (NC3P 75 (M))
- Overall project site area is approximately 0.5 acres
- Application includes a MUP for a 107 unit mixed-use building with 107 apartments, 3 live-work units, and retail along NW Market Street
- SDCI recommendation to conditionally approve published 1/5/23
- Public Hearing held by the Deputy Hearing Examiner on 1/31/23
- Hearing Examiner recommends conditional approval to Council on 1/8/23

Hearing Examiner's Exhibit 18







Hearing Examiner's Exhibit 63



## Hearing Examiner Recommended PUDA Conditions

#### Prior to Issuance of a Building Permit

A. Plans for development of the rezoned property shall be in substantial conformance, as determined by the Director, with the approved plans for Master Use Permit number 3037590-LU.

#### For the Life of the Project

B. Non-residential uses shall be maintained on the ground-floor of the south facade in the location of the three proposed live-work units.

### **Next Steps**

- 3/22/23 Briefing, discussion, and possible vote
- 3/28/23 Possible Full Council vote
  - Property Use and Development Agreement (PUDA) must be executed prior to Full Council vote

## Questions?