

From: Scala, Mary Joy
Sent: Thursday, August 27, 2015 1:15 PM
To: Powe, Gregory; Woodard, Keith
Subject: BAR Action - August 18, 2015 - 200 2nd Street SW

August 27, 2015

Keith Woodward
200 2nd Street SW
Charlottesville, VA 22903

Recommendation Regarding Special Use Permit Amendment

200 2nd Street SW
Tax Parcel 280069000,280071000-280075000
Market Plaza, LLC, c/o, Keith Woodward, Applicant
New Urban Mixed-Use Development

Dear Applicant,

The above referenced project was discussed before a meeting of the City of Charlottesville Board of Architectural Review (BAR) on August 18, 2015. The following action was taken:

BAR recommended (5-1-1, with Miller opposed, and Mr. Schwarz recused) that the proposed amendments to the special use permit conditions previously approved by City Council on December 1, 2014 for the redevelopment of 200 2nd Street SW into a mixed use development including City Market, regarding the elimination of the water feature and the provision for a 16 foot wide pedestrian walkway and handicapped access by elevator, will not have an adverse impact on the Downtown Architectural Design Control (ADC) district, and the BAR recommends approval of those portions of the proposed amendments to the special use permit, but the BAR has no comment on the remaining portions of the amendments. The BAR requests that the Planning Commission and City Council review other aspects of the document that concern the transition from public to private plaza space and implications to operations (usage and access, viability of the City Market) and impact on the district and the BAR asks for review (of drawings and details) of the new centerpiece and pedestrian access.

If you have any questions, please contact me at 434-970-3130 or scala@charlottesville.org.

Sincerely yours,

Mary Joy Scala, AICP
Preservation and Design Planner

Mary Joy Scala, AICP
Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall – 610 East Market Street
P.O. Box 911
Charlottesville, VA 22902
Ph 434.970.3130 FAX 434.970.3359
scala@charlottesville.org

**CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT
August 18, 2015**



Recommendation Regarding Special Use Permit and Discussion

BAR 14-09-01

200 2nd Street SW

Tax Parcel 280069000, 280071000-280075000

Market Plaza LLC, Owner/ Powe Studio Architects, Applicant

New Urban Mixed-Use Development

Background

This property is located in the Downtown ADC District. The site is currently used for parking. A building used by the City Department of Parks and Recreation burned in 2014 and was removed.

The City of Charlottesville has given consent, as owner of this property, for the applicant to seek land use approvals. The applicant was chosen out of four firms who submitted proposals on this site for a mixed-use development that would include incorporation of the current City Market and 102 public parking spaces. The City will continue to operate City Market. Closing 1st Street between Water Street and South Street is an option offered by the City. Negotiations for a purchase and development agreement are currently underway.

The original special use permit for the redevelopment of 200 2nd Street SW into a mixed use development included:

- increased density (from 43 units per acre to 60 units per acre)
- additional building height (from 70 feet to 101 feet)
- an exception for a 12 foot setback on Water Street
- the City Market as a permitted use and
- public assembly events that may be in excess of 300 people.

September 16, 2014 – The BAR recommended (8-0) to City Council that the Special Use Permit (SUP) to allow increased density (from 43 units per acre to 60 units per acre) and additional building height (from 70 feet to 101 feet), with an exception for a 12 foot setback on Water Street, for the redevelopment of 200 2nd Street SW into a mixed use development including the City Market and other public assembly events that may be in excess of 300 people, will not have an adverse impact on the Downtown Architectural Design Control (ADC) District, and the BAR recommends approval of the SUP, subject to the usual BAR review.

The BAR also made preliminary comments regarding the proposed design of the building and site:

- Massing is thoughtful, tallest part in right place;
- Plaza side is more successful than Water/2nd Street facades;
- Revisit forcing context with 25 ft. modules, be less literal in modulating facades, use details of wall to break down plane, think of it as single large composition;
- Simplify base, upper and lower elevations need to hang together more, fenestration on brick base needs work, Deco effect on upper brick stories is good and reflects warehouse-industrial context;
- Revisit NW glass corner that incorrectly reads as an entrance;
- Revisit enormous, projecting balconies, prefer negative corners;
- Need thoughtful design of intersections of glass and masonry corners;
- Revisit metal spine above stairs on South Street terraces;
- Want bolder pedestrian connection from 2nd Street to plaza;
- Like the change in brick color, like the tactility of brick material, would be concerned if all glass, don't like strong contrast between brick colors.

- Revisit design of 1st Street stairs and waterfall and area between stairs and building, simplify stairs, make stairs more gentle, follow topo more closely, want the space to be there.

December 1, 2014 - City Council approved the SUP with conditions.

December 16, 2014 - The BAR approved (8-0) the massing and general site layout as submitted; and the applicant shall return to the BAR with further approval for the design details of the entrance and stair area, and including: a comprehensive signage plan, detailed landscape plan; "plaza layout" plan including site amenities and furnishings; window specifications; building and paving materials; wall sections; lighting; and location of mechanical units and trash areas; and
The BAR unanimously supports the curtain wall on the plaza side of the building [rather than the brick grid]; and the BAR does not support trees on the plaza.

January 20, 2015 - The BAR accepted applicant's deferral request (7-0); Some of the items the BAR asked to see were: concise submittal with correct versions of all drawings, architectural elevation drawings, make solid band on top before stepback, then no brick above, no mall brick for pavers, planters should be brick next to building, final design of perforated railing, overall lighting plans (may come later), plaza plan with changes to lighting (Keith's design lighting fixtures along 1st Street). [Please refer to the January 20, 2015 minutes for a full discussion.]

The BAR also made a recommendation to City Council regarding a Special Use Permit: they recommended (7-0) that a proposed temporary location for City Market at 100 E Water Street would have no adverse effects on the ADC district.

February 2, 2015 - City Council approved Special Use Permit for temporary location for City Market at 100 E Water Street, subject to the following conditions:

1. The Farmer's Market shall be easily visible from adjacent vehicular rights-of-way, easily accessible from adjacent sidewalks, and shall be arranged in a manner that facilitates a comfortable flow of pedestrians among the various vendor stands within the Market.
2. The special use permit shall expire on December 31, 2017.

February 17, 2015 - The BAR approved (6-0) the building perspectives with elevations and details to come back to the BAR to confirm the design intention:

1. Handrail along Water Street;
2. Remove brick pillar at top of stair;
3. No brises soleil on east elevation;
4. Modify top of building to minimize crenellations;
5. Terrace dividers;
6. Remove two light poles at bottom of stair;
7. Explore options to remove entry barrier to plaza from South Street;
8. Landscape plan;
9. Lighting plan;
10. Signage plan;
11. Confirm final materials, windows, metal colors;
12. Elevation drawings to show corner details resolved.

April 21, 2015 - The BAR approved (6-1-1 with Keesecker opposed and Schwarz abstained) the application as submitted, with further refinements to brick paving and other details to be circulated [to BAR] and approved administratively if possible. The following addendum to the motion was included: When the 2 versus 3 lanes of traffic flow in and out of the building is resolved, if there are design changes accordingly, it moves to 2 lanes, that the BAR will specifically see that design revision [because perhaps the elevator location would change].

Application

April 2015

✓ A special use permit for Market Plaza was approved by City Council with conditions on December 1, 2014. Since then the BAR has approved the design, and a site plan has been approved. Also, City staff and the applicant have proceeded with negotiations for the sale of the property to the applicant, and have identified inconsistencies between the contract for sale and the special use permit resolution of December 1, 2014. Therefore, certain amendments to the special use permit conditions have been proposed.

✓ The BAR is being asked to make a recommendation regarding the proposed amendments to the special use permit (SUP), and to make comments regarding any impacts to the certificate of appropriateness already approved on that site.

Relevant Code Section: Sec. 34-157(7). *When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the Board of Architectural Review (BAR) or Entrance Corridor Review Board (ERB), as may be applicable, for recommendations as to **whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts.** The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.*

Proposed changes to special use permit conditions of approval

✓ The major proposed change to the conditions of approval is changing the concept of the plaza from a public space to an open space that the applicant will control.

"...the public will be invited to use and enjoy the Plaza as an invitee of the applicant, subject to rules and regulations established by the applicant...in its discretion to ensure the quiet enjoyment of residents and other users of the Development."

- ✓ • Rules and regulations in the plaza will now be established by the applicant.
- ✓ • During specified time periods for events scheduled by the applicant, the plaza will be closed to other uses and users.
- ✓ • The general public shall have a right of access to and use of the pedestrian access connecting Water Street and South Street, which shall include a 16 foot wide pedestrian walkway and handicap access via elevator. First Street pedestrian access will remain open at all times (even during private events, except if closed for City-sponsored events such as the Farmers Market, or by temporary street closure permit).
- ✓ • The water feature of the plaza is proposed to be eliminated.
- Changes to the Market Plan (the layout for vendor stands to be located within the plaza on City Market days) may be changed from time to time by Parks and Recreation rather than NDS.
- ✓ • The Farmers Market will be open to the public at times and dates to be determined by a separate lease agreement between the applicant and the City.

- The "property owner" and "developer" terms have been replaced with the term "applicant" throughout the statement of conditions.

Discussion and Recommendations

Before City Council takes action to permit the proposed use, they must consider the BAR's opinion whether there are any adverse impacts to the Downtown ADC district that could be mitigated with conditions. A special use permit is an important zoning tool that allows City Council to impose reasonable conditions to make a use more acceptable in a specific location, and to "protect the welfare, safety and convenience of the public." Suggested motions are listed below.

✓ In staff opinion, the only proposed condition that directly impacts the BAR's previous approval of the certificate of appropriateness is the elimination of the water feature. *This will require BAR approval of an amended plaza plan.*

✓ It is good that there is an amendment that specifies that First Street must remain open to the public at all times.

However, staff has additional questions/concerns that may or may not be BAR concerns:

Uses, #3.a. as proposed, the applicant could keep the public out of the plaza during their events. Will there be an agreement as to how many events can happen, or how long those events can be, similar to the lease arrangement the City currently has with the music pavilion?

While the applicant's main concern would rightfully be their tenants, one of the City's main concerns is the continued success of City Market. As proposed, the applicant could make rules and regulations "to ensure the quiet enjoyment of residents." Then, could the applicant, for example, stop the farmers from opening the market at 7:00 am on Saturday morning?

#3. says the plaza "may not be designed, constructed or used as a surface parking for motor vehicles." This is not a change. But a question it generates is, would truck parking on the plaza during City Market still be permitted, or could the applicant argue that they are not permitted to build the plaza to provide that use?

Alternate Motions Regarding the SUP

I move to find that the proposed amendments to the special use permit conditions previously approved by City council on December 1, 2014 for the redevelopment of 200 2nd Street SW into a mixed use development including the City Market, **will not** have an adverse impact on the Downtown Architectural Design Control (ADC) District, and the BAR recommends approval of these proposed amendments to the Special Use Permit. *but The BAR has no comment on*

I move to find that the proposed amendments to the special use permit conditions previously approved by City council on December 1, 2014 for the redevelopment of 200 2nd Street SW into a mixed use development including the City Market, **will** have an adverse impact on the Downtown Architectural Design Control (ADC) District and the BAR recommends the following conditions to mitigate the adverse impacts....

re elim of water feature + provision for 16' wide ped....

Portions of the

*Laura
2nd-EE
5-1 Mm
opp.*

remaining portions of amended permit + request for new layout details on transition from public to private space and implications to operators + ashd for review of new street center access



SPECIAL USE PERMIT APPLICATION

Please Return To: City of Charlottesville
Department of Neighborhood Development Services
Post Office Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3182 Fax (434) 970-3359

RECEIVED

NEIGHBORHOOD DEVELOPMENT SERVICES

JUL 21 2015

For Non-Residential and Mixed Use projects, please include \$1,500 application fee. For Residential projects, please include \$1,800 application fee; checks payable to the City of Charlottesville. All petitioners must pay \$1.00 per required mail notice to property owners, plus the cost of the required newspaper notice. Petitioners will receive an invoice for these notices and approval is not final until the invoice has been paid.

I (we) the undersigned property owner(s), contract purchaser(s) or owner's agent(s) do hereby petition the Charlottesville City Council for a special permit to use the property located at 200 2ND ST SW (address), zoned: WATER STREET DISTRICT, for: _____

A. Property Information – Please note on the back of this form any applicable deed restrictions.

- 198 feet of frontage on E WATER ST (name of street)
- Approximate property dimensions: 198 feet by 260 feet.
- Property size: 1.179 AC (square feet or acres)
- Present Owner: CITY OF CHARLOTTESVILLE (Name) as evidenced by deed recorded in Deed Book Number 170 Page 132, with the Clerk of the Circuit Court.
- Mailing Address of Present Owner: PO BOX 911 CHARLOTTESVILLE, VA 22902
- City Real Property Tax Map Number 28 Parcel(s) _____; Lot(s): 69, 71, 72, 73, 74, 75

B. Adjacent Property Owners' Addresses (Use the back of this form if necessary.)

Property Owner Name	Mailing Address	City Tax Map and Parcel #
1. <u>SEE ATTACHED SHEET FOR ADJACENT PROPERTY INFORMATION</u>		
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

C. Applicant Information – Please note that if the applicant is not the owner, proof of status as contract purchaser or owner's agent must be furnished. (Office Use: Proof Furnished _____)

Applicant's Name MARKET PLAZA LLC c/o KEITH WOODARD
 Mailing Address 224 14TH ST CHARLOTTESVILLE, VA 22903
 Applicant's Phone Numnber(s): 434-971-8860 Work _____ Home _____
 Applicant's Signature _____

D. Attachments Submitted by the Applicant

- A required site plan was previously submitted on 08/12/2014 (Date) with the required fee, for a pre-application review conference on _____ (Date). This site plan was prepared by:
 Name: POWE STUDIO ARCHITECTS PC / GREGORY POWE, AIA
 Address: 208 3RD ST NE, CHARLOTTESVILLE, VA 22902
 Phone: 434-979-0979
- Other attachments as required by Section 34-158 of the City Code (Office Use: Submitted _____).
 The correct application fee (see above).

For Office Use Only

I certify that the sign(s) as required by Section 34-44 of the City Code as amended has been posted on the following date: _____ Signature: _____ (Zoning Administrator)

Amount Paid \$1,500 Date Paid 7/28/15 Cash/Check # 0135 Received by O. Barnlow

NEIGHBORHOOD DEVELOPMENT SERVICES

RECEIVED

JUL 21 2015

AMENDED AND RESTATED
RESOLUTION APPROVING A SPECIAL USE PERMIT
AS REQUESTED BY APPLICATION NO. SP-14-08-08
FOR A PROPOSED MIXED USE DEVELOPMENT ON WATER STREET
PROPOSED BY MARKET PLAZA, LLC

WHEREAS, Market Plaza, LLC (“Applicant”) has submitted application SP-14-08-08 (“Application”) seeking approval of a special use permit for property located between Water Street and W. South Street, bounded by the existing 2nd Street, S.W. and 1st Street South, identified on City Tax Map 28 as Parcels 69, 71, 72, 73, 74 and 75, and the undeveloped portion of the undeveloped right-of-way of 1st Street, S. (“Subject Property”), consisting of approximately 1.18 acres; and,

WHEREAS, the special use permit seeks the following: (i) additional height, up to 101 feet, per City Code §34-742(3); (ii) density of up to 60 dwelling units per acre, per §34-744; (iii) modification of the setback and streetwall regulations of §34-743(b), per §34-162(a); and (iv) authorization of the following special uses of the Subject Property, pursuant to §34-796: an auditorium/ theater with capacity for 300 or more persons, and a farmer’s market (retail) use; and

WHEREAS, the Subject Property is zoned “WSD” (Water Street Corridor District), subject to the requirements of the City’s Parking Modified Zone, per § 34-971(e)(3), and of the Downtown architectural design control (ADC) overlay district; and the City’s Board of Architectural Review has previously been given an opportunity to make findings and recommendations on whether the proposed development would have an adverse impact on the ADC district, as required by City Code §34-157(a)(7); and

WHEREAS, following a joint public hearing before this Planning Commission and City Council, duly advertised and held on October 14, 2014, the Planning Commission reviewed this application and determined that the proposed special use permit, under suitable regulations and safeguards set forth within a list of recommended conditions, will serve the interests of the public necessity, convenience, general welfare or good zoning practice, and will conform to the criteria generally applicable to special permits as set forth within §§ 34-156 et seq. of the City Code, and the Planning Commission has transmitted its recommendation to City Council; and

WHEREAS, this Council ~~finds~~found and ~~determines~~determined that, under suitable regulations and safeguards, the proposed special use permit ~~will~~would serve the interests of the public necessity, convenience, general welfare or good zoning practice, and will conform to the criteria generally applicable to special permits as set forth within §§ 34-156 et seq. of the City Code. ~~NOW, THEREFORE, 156 et seq. of the City Code, and on December 1, 2014 this Council approved and adopted resolutions aproving the issuance of the proposed special use permit and setting forth conditions applicable thereto (“December 1, 2014 Resolutions”); and~~

WHEREAS, as the City Staff and the Applicant have proceeded with negotiations for the sale of the Subject Property to the Applicant, and in the course thereof have identified and addressed issues relating to the proposed development; and

WHEREAS, in the course of such negotiations the City Staff and the Applicant have identified inconsistencies between necessary and appropriate terms to be included in the contract for the sale of the Subject Property to the Applicant and the December 1, 2014 Resolutions; and

WHEREAS, in order to make the terms of the special use permit consistent with the terms of the contract to be considered for approval by this Council, the Applicant has proposed that the terms of the proposed special use permit and the conditions thereto be amended to read as follows; and

WHEREAS, this Council finds and determines that, under suitable regulations and safeguards, the proposed amended and restated special use permit will serve the interests of the public necessity, convenience, general welfare or good zoning practice, and will conform to the criteria generally applicable to special use permits as set forth within §§ 34-156 et seq. of the City Code;

AMENDED AND RESTATED

SUP CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION-
FOR THE PROPOSED WATER STREET PLAZA DEVELOPMENT

~~December 1, 2014~~

, 2015

General

1. The design, height, density, and other characteristics of the Development shall remain essentially the same, in all material aspects, as described within the application materials dated October 14, 2014 and November 11, 2014, submitted to the City for and in connection with SP-13-10-19 ("Application"). Except as the design details of the Development may subsequently be modified to comply with requirements of a certificate of appropriateness issued by the City's BAR, or by any other provision(s) of these SUP Conditions, any substantial change of the Development that is inconsistent with the Application shall require a modification of this SUP.

Massing and Scale

2. The ~~developer~~Applicant shall work with staff and the Board of Architectural Review in the process of obtaining a certificate of appropriateness for the Development, to achieve a final design that will minimize the visual impacts of the building on the South Street, Second St., S.W. and First Street elevations to the satisfaction of the BAR.
 - a. In the design and layout of the Development, the City's historic street grid pattern shall be respected. Although First Street may not ultimately be used or maintained by the City for vehicular traffic, site design shall nevertheless reinforce, visually or otherwise, the historic layout which connected Lee Park and the Downtown Mall, on the north, to Garret Street, on the south. Visual and Pedestrian access shall be maintained as part of the development, by leaving the area of First Street unoccupied by buildings or structures above the level of the open-air plaza ("Plaza-level,") with the exception of an elevator on Water Street.
 - b. All outdoor lighting and light fixtures shall be full cut-off luminaires.
 - c. To encourage active uses and building access, a minimum of 3-5 entrances/openings shall be established on Water Street, 2nd Street SW, and South Street as determined by the Board of Architectural Review. On South Street, these will lead to the Plaza.
 - d. Balconies: Throughout the life of the Development, the owner of the Subject Property shall establish enforceable rules to regulate the use and appearance of balconies. Such rules shall be set forth within written instruments that will be binding upon the occupants of the building (for example: recorded covenants or restrictions for condominium or homeowners' associations; written leases; etc.).

Uses

3. The Plaza shall be and remain an open-air plaza throughout the life of the Development and shall include pedestrian links.
 - a. ~~The Plaza may not be designed, constructed or used as surface parking for motor vehicles.~~ The Plaza should be perceived as ~~a plaza/public~~ an open space, not as a

AMENDED AND RESTATED

SUP CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION-
FOR THE PROPOSED WATER STREET PLAZA DEVELOPMENT

December 1, 2014

_____, 2015

change in the Market Plan can be approved by the Director of NDS as a minor modification not requiring approval of a site plan amendment by the City Parks and Recreation Department with the agreement of the Applicant.

4. On and within the open air Plaza, and other exterior areas of the Subject Property, no human voice, and no instrument, machine or device, including any device that amplifies sound, shall be used or operated in a manner that causes a sound generation of seventy-five (75) db (A) or more, at a distance of ten (10) feet or more from the source of the sound generation. The prohibition of this condition shall not apply to any sound generation which occurs as part of the Farmer's Market authorized by this permit. This condition regulating sound generation shall remain in effect until such time that the City's noise ordinance is amended to apply to the exterior areas of the Subject Property.
5. The on-site parking garage shall meet the following requirements:
 - a. To facilitate and encourage the provision of a future access easement, the garage shall be designed to accommodate potential future access to/from the Property located to the east of the Development site ("Adjacent Property") through provision of alternate access design, such as knock out panels. The accommodation for the potential future access shall be depicted and labeled on any proposed final site plan and building construction plans submitted to obtain any building permits. The owner of the Property shall negotiate an agreement regarding operating and construction costs, maintenance, liability, hours of operation, design and traffic flow, etc. for such access, with the owner of the adjacent property, at such time as the Adjacent Property is developed or redeveloped.
 - b. Water Street serves as part of the City's east-to-west bike corridor. To maintain ease of pedestrian and bicycle movement on Water Street, there shall be no more than one (1) vehicular entrance or exit for the Development on Water Street. This single entrance/exit shall have no more than 2 lanes of traffic, unless a traffic impact analysis denotes that more lanes are necessary. The parking garage will provide a separate entrance/exit for pedestrians.

Massing and Scale

6. The required building setback along the property line adjacent to Water Street shall be a minimum 7 feet and a maximum of 12 feet.
7. Along Water Street there shall be provided a stepback of a minimum of 5 feet and a maximum of 10 feet, at the height of the streetwall. The minimum height of the streetwall on Water Street shall be 25 feet, and the maximum height shall be 45 feet.

AMENDED AND RESTATED
SUP CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION-
FOR THE PROPOSED WATER STREET PLAZA DEVELOPMENT

~~December 1, 2014~~
_____, 2015

the moving and staging of materials to and from, and (if planned, in public rights-of-way adjacent to the site, during the construction process. This Traffic Control Plan shall be amended, as necessary, and submitted along with any application or a building permit or other development permit applications.

- c. The ~~developer~~Applicant shall provide the city's director of neighborhood development services, adjoining property owners and the Downtown Business Association with written notice of a person who will serve as a liaison to the community throughout the duration of construction of the Development. The name and telephone number, including an emergency contact number, of this individual shall be provided.
- d. If the City's existing public infrastructure (public streets, sidewalks, curb, gutters, utilities, etc.) is damaged during construction of the Development, then the ~~Property owner~~Applicant or its successor shall be responsible for repair and/or reconstruction of the same in accordance with applicable City standards.
- e. The ~~developer~~Applicant shall submit a foundation inspection, prior to commencement of construction of the first floor above-grade framing for the Building(s). The foundation inspection shall include (i) the building footprint, as depicted within the approved final site plan, (ii) the top-of-slab elevation, and (iii) the first floor elevation. The foundation inspection shall be prepared and sealed by a registered engineer or surveyor, and shall be approved by the zoning administrator prior to the commencement of construction of the first-floor above-grade framing.
 - f. Any structural elements that are proposed to extend into the public right-of-way, including, but not necessarily limited to, footings, foundations, tie-backs, etc., must be shown on the proposed final site plan and the ~~property owner~~Applicant or its successor shall be required to enter into a written encroachment easement, in a form approved by the City Attorney, suitable for recording in the City's land records. A copy of the recorded instrument shall be submitted to the City along with the first request for a building permit for the development.

11. Traffic

- a. A Traffic Plan, showing the layout of signs, details, signals, turning lanes, entrances and exits, and pavement markings, shall be submitted to the City as part of the proposed final site plan for the development.
- b. The ~~Developer~~Applicant shall be responsible for the cost of constructing, in areas adjacent to the Property, any turning lane(s), traffic signals, or other public street improvements or traffic regulation devices, the need for which is substantially generated by the ~~proposed~~ Development.

AMENDED AND RESTATED
SUP CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION-
FOR THE PROPOSED WATER STREET PLAZA DEVELOPMENT

December 1, 2014

_____ , 2015

Landscaping

14. The landscaping plan required as a component of final site plan approval for this Development shall include native or appropriate tree plantings along all street frontages, as well as trees on the ~~Public~~ Plaza subject to BAR approval. Trees on the ~~Public~~ Plaza shall be planted using roof planting methods and not hinder the operations of the Farmers' Market.

Conditions that the Commission will forward as recommendations to the Board of Architectural Review.

Massing and Scale

1. Building massing and scale should respond to the very different building scales along Water Street, South Street, Second Street SW and First Street without losing the integrity and simplicity of its own massing.
2. First Street should be maintained as a separate urban component. Soften the impact of the retaining wall on First Street and create interest with opening or putting something in front of it. (ex: Trees, Public art, murals that are incorporated in the design of the building).
3. The Planning Commission is in favor of having a sufficient number of openings along street frontages to encourage the activation of street and pedestrian experience. The opening allow for flexibility and variability for changes of use over time.
4. Request that the BAR discuss the vertical piers on South Street.
5. Brick detailing will be evaluated across all four (4) facades of the proposed development.

Uses

6. ~~Public Use of Open-Air Plaza:~~ Public Use of Open-Air Plaza: Market space/Plaza should contribute positively to the city's-publicCity's open space network. ~~Market plaza and/or street should be a memorable public space - worthy of Lee Park and the Downtown Mall~~