



PREPARED FOR THE PLAN COMMISSION

Project Address: 801 E. Washington Avenue

Application Type: Conditional Use

Legistar File ID # [44825](#)

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted.

Requested Actions: Approval of a conditional use in the TE (Traditional Employment) zoning district to allow construction of an up to eight-story commercial/ office building containing 152,925 square feet of floor area, including a 40,000 square-foot theater/ concert hall on land generally addressed as 801 E. Washington Avenue in Urban Design District 8, with auto parking to be provided off-site.

Addendum

As noted in the full staff report prepared for the November 30, 2016 Urban Design Commission meeting, the applicant is proposing to construct either a four-story or eight-story commercial building on the subject site. The four-story version of the project includes 52,900 square feet of retail and office space to be located surrounding a two-story, 40,025 square-foot theater/ concert hall, while the eight-story version of the project calls for an additional 40,000 to 60,000 square feet of office space to be constructed on four additional stories to be located above the four-story retail/ office/ entertainment complex.

At its November 30 meeting, the Urban Design Commission (UDC) only granted the four-story version of the project initial approval and effectively referred consideration of the eight-story version until concerns about the design of the taller structure could be addressed. While some of those concerns also pertained to the four-story base of the building, the UDC allowed that portion of the project to proceed to the Plan Commission so that the parking to serve the mixed-use project and the proposed entertainment venue could be discussed, with the general understanding that if the Plan Commission could not find the conditional use standards met to allow the theater/ concert hall and/ or to allow the Cosmos development to proceed with the parking proposed on- and off-site, there would be no further need to discuss the design of the project at the UDC.

Accordingly, Planning staff recommends that the Plan Commission open a public hearing on ID 44825 and discuss the merits of the proposed Cosmos development. For the purposes of December 12, the Plan Commission may:

- find the conditional use standards met and **approve the four-story version** of the project, including 52,900 square feet of retail and office space and the two-story, 40,025 square-foot theater/ concert hall pending final approval by the UDC prior to final sign-off and issuance of building permits, and **refer the eight-story version** to a future meeting pending a recommendation by the UDC (the eight-story project would likely return as a separate conditional use request with a different legislative file identification number and new public hearing); or
- find that the standards are not met for either version of the project and either refer the project to a future meeting or place it on file, citing in both cases the standard(s) that have not been met and the reasons such standard(s) was not met.

The Planning Division continues to believe that the Plan Commission can find the standards met and **approve** a conditional use to allow construction of the proposed Cosmos retail/ office/ entertainment complex at 801 E. Washington Avenue subject to input at the public hearing, final approval by the Urban Design Commission, and

the conditions from reviewing agencies contained in the full staff report prepared for the November 30, 2016 Urban Design Commission meeting, as amended.

Specifically, the Planning Division would like to amend its findings in the full November 30 staff report regarding the 45-degree setback requirement above five stories in Block 12b adjacent to E. Main Street as it pertains to the proposed eight-story version of the project. Following additional information provided by the applicant at the Urban Design Commission meeting and further staff review of the bulk requirements in Urban Design District 8, the eight-story version of **the project is not subject to this setback requirement** and may be approved without modification related to this provision.

Finally, the Planning Division recommends that an additional condition be added to the Cosmos project similar to one recommended for the adjacent Spark office development at 819 E. Washington Avenue, which requires that the applicant submit a Transportation Demand Management (TDM) Plan for review by the Planning Division and Traffic Engineering Division prior to obtaining building permits. The TDM for the Cosmos should outline additional strategies to close the gap between the minimum auto and bike parking required and the parking provided, particularly for the eight-story project once it can be approved. The TDM could include free or low-cost transit passes for users of the building, carpooling programs, and additional amenities for bicyclists.