

**DEVELOPMENT ACTIVITIES MEETING**  
**SPECIAL EXCEPTION REQUEST**  
**AUGUST 9, 2021**

**1. HISTORY:**

- a. Location: 3342 Fifth Avenue
- b. Zoning: OPR-C
- c. ZBA Approval (May 9, 2019 – Zone Case 44 of 2019):
  - 1. Approved a 152 Feet in Height;
  - 2. Approved 8 to 1 FAR;
  - 3. Approved 100 Parking Spaces.
  - 4. Approved Office Use with First Floor Retail
- d. Approved Community Benefits Agreement
- e. Building Permit Issued; Construction has started.

**2. CURRENT REQUEST:**

- a. Section 908.03.D3(A) of the Zoning Code provides:

Purpose:

To provide a district where an intensive concentration of mixed used that accommodate office, retail, housing, institutional, classrooms and student housing of all types.

To encourage continuous retail business frontage at street or similar pedestrian level, with additional retail, office, classrooms, institutional, and residential uses as the primary uses of upper stories of buildings.

- b. Section 908.03.D3(E): Use Exceptions:

Uses exceptions are the same as those for the Urban Neighborhood Commercial / UNC District as listed in the Use Table in Chapter 911.02.

c. 911.02

“Educational Classroom Space (General) means an Educational Classroom Space use with a gross floor area of 20,000 square feet or more”.

The applicable standards are set forth in Section A.21

d. The standards set forth in Section 911.04.A.21 are as follows:

**911.04.A.21 Educational Classroom Space (General)**

(a) In UNC Districts

Educational Classroom Space (General) shall be subject to the following standards:

(1) The design of the structure shall follow the district's development standards for commercial uses;

**NO DESIGN CHANGE FROM PREVIOUS APPROVAL.**

(2) The height and bulk of the proposed structure shall be designed as to minimize blocking of views from adjacent residential properties;

**NO CHANGE FROM PREVIOUS APPROVAL.**

(3) Access to the facility shall be addressed in a manner which emphasizes the use of public transit to the facility, and clearly meets the peak demands of the facility in a manner which does not require the use of parking spaces on residential streets; and

**NO CHANGE FROM PREVIOUS APPROVAL.**

(4) The Approving Body shall determine that such use will not create detrimental impacts on the surrounding properties, taking into consideration probable traffic generation, the physical relationship of the proposed use and structure to surrounding uses and structures, the probable hours of operation, the impacts of parking in surrounding residential uses, and the size and bulk of the building;

**NO CHANGE FROM PREVIOUS APPROVAL.**