

## **Supplemental Information on Case 3-2**

Additional information related to the provisions of the Gateway-2 District zoning district is provided here for the Board's consideration. The Zoning Ordinance already has a mechanism for allowing for an increase in building height in the Gateway districts through the granting of a Conditional Use Permit (CUP) by the Planning Board as referenced below in Section 10.5B72. An applicant may apply for a conditional use permit for one or more "density bonus incentives." One of the density bonuses allowed is an increase in building height by one (1) story or 10'.

In order to be eligible for a density bonus, the applicant is required to provide workforce housing (as outlined in 10.5B73.10). While the applicant has previously indicated to the Planning Department staff that provision of workforce housing units would not be feasible, the zoning also provides a mechanism for the applicant to request a modification to certain requirements of the Ordinance (including the provision workforce housing) from the Planning Board through the CUP process. In short, the Planning staff believes that the applicant should not be applying for a variance to the Zoning Board of Adjustment for relief for height, but should instead be applying to the Planning Board for granting of a CUP for a density bonus incentive. While the Ordinance does not guarantee that the requested relief will be granted in either case, the process for reviewing and approving or denying an increase in building height in this case should clearly be the purview of the Planning Board and not the Zoning Board of Adjustment.

## 10.5B72 Density Bonus Incentives

A conditional use permit may be granted by the Planning Board for increased housing density or for increased **building height** and **footprint** as described in this section. Such conditional use permit shall be contingent upon satisfying the requirements of Section 10.5B73.

- 10.5B72.10 **Dwelling Units Per Building:** The Planning Board may, by conditional use permit, allow up to a maximum of 36 **dwelling units per building**.
- 10.5B72.20 **Dwelling Units per Acre:** The Planning Board may, by conditional use permit, allow higher density up to the maximum established in Section 10.5B71.
- 10.5B72.30 **Building Height and Building Footprint:** The Planning Board may, by conditional use permit, allow an increase in the maximum **building height** by one (1) story or 10' and an increase in the maximum **building footprint** and square footage by 20 percent.

## 10.5B73 Bonus Incentive Requirements

In order to be eligible one of the bonus incentives outlined in section 10.5B72, a **development** shall include **workforce housing** according to the requirements of 10.5B73.10. In order to be eligible for multiple bonus incentives outlined in Section 10.5B72 a **development** shall also provide **public realm** improvements according to the requirements of 10.5B73.20. Required documentation for these improvements must be submitted with the application as outlined in Section 10.5B74.

- 10.5B73.10 **Workforce Housing Requirement:** At least 20% of the **dwelling units** in the **development**, but no less than three units, shall be **workforce housing units** for sale or rent complying with the following criteria:
- 1) For sale units shall be at least the average **gross floor area** of the proposed units in the **building** or 1,000 sq. ft., whichever is greater.
  - 2) Rental units shall be at least the average **gross floor area** of the proposed units in the **building** or 800 sq. ft., whichever is greater.
  - 3) The **workforce housing units** shall be distributed throughout the **building** wherever **dwelling units** are located.