

ITEM NO. 8A IG TO RM32-PD; 1.3 ACRES; 900 DELAWARE ST (MKM)

Z-13-00286: Consider a request to rezone approximately 1.3 acres from IG (General Industrial) District to RM32-PD Overlay (Multi-Dwelling Residential with PD Overlay) District, located at 900 Delaware St. Submitted by Bartlett & West, Inc., for Provident Family, LP, property owner of record.

ITEM NO. 8B PRELIMINARY DEVELOPMENT PLAN FOR 9 DEL LOFTS; 900 DELAWARE ST (MKM)

PDP-13-00299: Consider a Preliminary Development Plan and associated modifications for 9 Del Lofts, a multi-dwelling residential development with 43 dwelling units, located at 900 Delaware St. Modification requests are related to the off-street parking requirements, and setback standards. Submitted by Bartlett & West Inc., for Provident Family, LP, property owner of record.

STAFF PRESENTATION

Ms. Mary Miller presented items 8A and 8B together.

APPLICANT PRESENTATION

Mr. Tony Krsnich said the project would provide 43 rent restricted apartment units. He said the Poehler Lofts set a national record of leasing in 11 hours. He said the 9 Del Lofts would probably be leased within 1-2 days of receiving certificate of occupancy.

PUBLIC HEARING

Ms. KT Walsh, East Lawrence Neighborhood Association, said they supported this project. She said they appreciated Mr. Krsnich adding three bedroom apartments to allow more family friendly options. She the intersection of 9th and Delaware would need to be looked at in the future because a lot of the tenants would be parking there and crossing the street. She said there was talk about bringing the rails to trail right in front of the apartment and not all of the neighborhood had an opportunity to comment on that yet.

Mr. Michael Almon, Sustainability Action Network, said he was a member of the Burroughs Creek Park and Trail Task Force that came up with the Burroughs Creek Corridor Plan adopted by Planning Commission and City Commission in 2006. He said the trail should continue to the north to a desired trail head at Hobbs Park and in the future allow the trail to continue farther to the north toward downtown and points other ways. He said it was an ideal opportunity for a public/private partnership to complete this segment of the Burroughs Creek Trail and make connections with this district to downtown. He supported this project.

Mr. John Gascon said he supported the project and felt that 9th and Delaware was an important hub and valuable corridor from downtown.

COMMISSION DISCUSSION

Commissioner von Achen inquired about the substantial gain of impervious area.

Ms. Miller said it was a completely undeveloped lot.

Commissioner von Achen asked if there were any attempts to mitigate that.

Ms. Miller said the applicant was below the total impervious that was allowed at 61.5% of the site so no mitigation suggested.

ACTION TAKEN on Item 8A

Motioned by Commissioner von Achen, seconded by Commissioner Graham, to approve the rezoning request for approximately 1.3 acres from IG (General Industrial) District to RM32-PD (Multi-Dwelling Residential with Planned Development Overlay) District and forwarding it to the City Commission with a recommendation for approval based on the findings of fact found in the body of the staff report.

Unanimously approved 10-0.

ACTION TAKEN on Item 8B

Motioned by Commissioner von Achen, seconded by Commissioner Graham, to approve the requested modification to allow the provision of 60 parking spaces on the property rather than the 73 required by Code per Section 20-1107(i) and approve the requested modification to allow a 20 ft front yard setback, rather than the 25 ft required by Code per Section 20-1107(g). To approve the 9 Del Lofts Preliminary Development Plan based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Provision of a DSSA and a Drainage Study/Grading Plan per the approval of the City Utility Division and the City Stormwater Engineer, respectively.
2. City Utilities Division approval of the proposed sanitary sewer line.
3. Alternative Compliance Landscaping will be reviewed and determined with the Final Development Plan.
4. Obtain and record an access easement to allow access from the north through property owned by Ninth and Delaware LC.
5. Provision of a revised Preliminary Development Plan with the following minor technical changes:
 - a. Note the entity or party that will own and maintain the common open space.
 - b. Delineate the common open space on the plan and note the percentage of the site which is included. Minimum of 20% of the site is required.
 - c. Revise PDP Plan Note No. 14 to list the modification being requested from the required off-street parking and to refer to the change requested to the setback as a 'modification'.
 - d. Revision of water service items per the City Utilities Engineer's approval.
 - e. Addition of revisions per the Fire Code Official's approval.
 - f. Show the access easement on the land to the north and note the Book and Page Number on the plan.

Unanimously approved 10-0.