

# City Council Agenda Item Memo

**From:** Ryan Miller, City Planner

**City Council Meeting:** May 28, 2024 / June 11, 2024

**Subject:** Ordinance 24-018: Conditional Use Permit – Apartment – 124 & 130 9<sup>th</sup> Street

**Person(s) Responsible:** Mike Struck, Community Development Director

## **Summary:**

Lyle Prussman has applied for a Conditional Use Permit to build an apartment in the Residence R-2 Two-Family District.

The Development Review Team recommends approval with the following conditions:

- Drainage measures to be approved by City Engineering prior to building permit issuance.

The Planning commission voted 8-1 to recommend approval with Development Review Team conditions.

## **Background:**

The applicant received approval for a Conditional Use Permit for the proposed apartment in 2022. The original Conditional Use Permit expired per Section 94-299, which states the permit shall expire one year from the date upon which it becomes effective if no significant work has commenced.

Addresses 124 and 130 9<sup>th</sup> Street were formerly occupied by single family homes which have recently been demolished. The owner of the two lots is proposing to redevelop the lots into a four-unit apartment building, which would be allowed by Conditional Use Permit in the R-2 Zoning District. Standards for approval of a Conditional Use Permit for apartments include:

- Such uses shall not be located in an area where they could have a negative impact on adjacent properties due to their size or the traffic generated from such use.
- The parking area shall be designed to have a minimal impact on surrounding residential properties.

## **Item Details:**

The original proposed apartment building would have included a total of four units with two 3-bedroom apartments and two 4-bedroom apartments. Since the initial approval, the minimum parking standards have been amended which will allow additional bedrooms based on the proposed off-street parking. Seventeen parking spaces are

required and the plan proposes twenty parking spaces. Each of the four units within the single proposed apartment building will now consist of four (4) bedroom units on two-stories and will each include a two-stall garage. The units and garages would be accessed from a driveway access along the west side of the building, which will utilize an existing access drive from 9<sup>th</sup> Street. The site plan has shifted three-feet west since originally approved. This shift will allow for a 10-foot separation from the eastern property line, which will provide greater fire separation. The three-feet of driveway located in the west side setback is allowed per ordinance. Screening will be required to the west.

The two lots will be combined through a replat. Once replatted, the parcel would be eligible for two access drives. There are currently three access drives within the frontage of the two existing lots, and the middle access drive is proposed for removal with this project. The eastern access drive would be retained for a possible new garage / maintenance building to serve the development.

The site plan conforms to all setbacks and lot size requirements for the use in the R-2 District. A complete landscape plan will be required at the time of a building permit application.

**Legal Consideration:**

None

**Strategic Plan Consideration:**

Economic Growth – the project would allow for multi-family housing opportunities.

**Financial Consideration:**

None

**Options and Recommendation:**

The City Council has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move the item to a study session
5. Discuss / take no action / table

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**Supporting Documentation:**

Ordinance

Hearing Notice – City Council  
Hearing Notice – Planning Commission  
Planning Commission Minutes  
Location Map  
Application  
Site Plan  
Building Plans