

Planning Commission Agenda Memo

From: Ryan Miller, City Planner
Meeting: May 6, 2024
Subject: Prussman Conditional Use Permit – Apartment – 124 & 130 9th Street

Person(s) Responsible: Ryan Miller, City Planner

Summary:

Lyle Prussman has applied for a Conditional Use Permit to build an apartment in the Residence R-2 two-family district.

Background:

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

124 and 130 9th Street were formerly occupied by single family homes that 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 CUP 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. Each unit 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 9th 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.

Regarding the standards for approval, staff does not believe there to be negative impacts on adjacent properties due to the size of the development or the traffic generated. Staff has met with the developers to ensure that drainage mitigation will satisfy any potential negative drainage impacts to adjacent properties and do not have concerns related to drainage at this time.

So long as the parking area is screened with a screening mechanism approved by the community development department, staff does not have concerns related to the parking area.

Options and Recommendation:

The Planning Commission has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Table until a future meeting

Staff recommends approval with the following conditions:

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

Supporting Documentation:

1. Public Hearing Notice
2. Aerial Map
3. Application
4. Site Plan
5. Building Plans