

# Planning Commission Agenda Memo

**From:** Staci Bungard, City Planner

**Meeting:** July 7, 2020

**Subject:** Conditional Use Permit Pertaining to the Establishment of a Tri-plex on the E 70' of Lot 3, Block 3, Third Addition

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

## **Summary:**

The owner is seeking a conditional use permit to operate a non-owner occupied triplex at 323 & 325 2<sup>nd</sup> Avenue. A conditional use permit was issued for an owner occupied tri-plex in 2003. The owner has relocated out of state and would like the ability to continue renting all three (3) units separately.

## **Background:**

The property is located at the southwest corner of 2<sup>nd</sup> Avenue and 4<sup>th</sup> Street and is zoned Residence R-2 Two-Family District. The ordinance requires a conditional use permit for a tri-plex apartment in the R-2 District and states that such uses shall not be located in an area where they could have a negative impact on adjacent properties due to size, noise, or traffic generation. Furthermore, parking areas shall be designed to have a minimal impact on the surrounding residential properties.

- Board of Adjustment approved a duplex for Kenneth Christianson on January 24, 1966
- Building permit was issued for duplex on January 26, 1966
- Olin & Betty Gile were granted a Special Exception for a triplex by the Board of Adjustment on November 4, 1993. The owners stated they would reside in one of the units.
- The City Council granted a Conditional Use Permit to Jeffrey Rogers on March 11, 2003 for an owner occupied triplex. The permit is valid for the current owner only.

## **Item Details:**

The tri-plex has been existing for a number of years as it was first approved in 1993. The property requires six (6) off-street parking spaces and on-site parking is limited; however, overflow parking has been accommodated at the City's 72 hour lot. One of the tenants provides on-site management support. City staff are not aware of any issues with the rental property.

## **Legal Consideration:**

None.

**Financial Consideration:**

None.

**Options and Recommendation:**

The Planning Commission has the following options:

1. Approve as presented
2. Approve as amended
3. Deny

Staff recommends approval of the conditional use permit.

**Supporting Documentation:**

1. Notice
2. Memo
3. Applicant Letter
4. Aerial Map
5. Photo
6. Prior Ordinance
7. Prior ZURP
8. Ordinance