



## Legislation Details (With Text)

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<b>Type:</b>	Planning Other Item	<b>Status:</b>		Other Business	
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<b>On agenda:</b>	7/7/2020	<b>Final action:</b>		7/7/2020	
<b>Title:</b>	Conditional Use Permit Pertaining to the Establishment of a Tri-plex on the E 70' of Lot 3, Block 3, Third Addition				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Notice, 2. Memo, 3. Applicant Letter, 4. Aerial Map, 5. Photo, 6. Prior Ordinance, 7. Prior ZURP, 8. Ordinance				

Date	Ver.	Action By	Action	Result
7/7/2020	1	Planning Commission	denied	Fail

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

### 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.

The City's records indicate the following:

- 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.

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.

**Staff Recommendation:**

Staff recommends approval of the conditional use permit.

**Attachments:**

Notice

Memo

Applicant Letter

Aerial Map

Photo

Prior Ordinance

Prior ZURP

Ordinance