

ITEM NO. 2 UR TO RMO; 1.04 ACRES; 4111 W 6TH ST (BJP)

Z-15-00523: Consider a request to rezone approximately 1.04 acres from UR (Urban Reserve) District to RMO (Multi-Dwelling Residential-Office) District, located at 4111 W 6th St. Submitted by Paul Werner Architects, for Freestate Dental Building, LLC, property owner of record.

STAFF PRESENTATION

Ms. Becky Pepper presented the item.

APPLICANT PRESENTATION

Ms. Joy Rhea, Paul Werner Architects, said the applicant wanted to develop the site in a similar fashion to the surrounding uses. She said the plan was for a two-story building on the site, similar to the buildings to the east and west. She said the fear was that a one-story building would be overlooked along 6th Street since it would be sandwiched between 2 two-story buildings. She said it was still in the planning stages and it was possible they may want to do a mixed use on the second floor. She felt the RMO zoning was a better option to allow for the mixed-use development. She said they planned to get the building as close to 6th Street as possible to allow distance between the residential homes behind the building to the south. She stated the development would be a great addition to 6th Street.

PUBLIC HEARING

Ms. Kim Bergmann said she would prefer that the building be one-story. She said the building to the east was more like a small two-story home. She expressed concern about trees being removed and her property value declining. She also expressed concern about drainage in the area.

Mr. L.D. Lawrence expressed concern about devaluation of his property. He also expressed concern about the tree line being removed. He stated a fence had not been completed at the property to the east of this site.

APPLICANT CLOSING COMMENTS

Ms. Rhea said regarding the drainage, the City Stormwater Engineer required that no water from the site should go to the south. She said all water would go to a curb inlet on 6th Street. She said regarding screening, they had not gotten to the site planning process yet so she was not sure what trees would come down and which would stay, but that they would try to save what they could. She said the sewer line would go through the drainage easement and that they would try to avoid removing mature stands of trees if at all possible.

COMMISSION DISCUSSION

Commissioner Britton asked staff to talk about the process for site planning.

Mr. McCullough said there was an additional step after rezoning, which was the site planning process. He said the site plan would include notification of surrounding property owners within 200' of the subject property. He encouraged the public to provide input and express any concerns and that staff would try to mitigate those concerns to the best of their ability.

Commissioner Liese asked staff if a two-story building versus a one-story building had anything to do with the trees.

Mr. McCullough said it was more of an aesthetic opinion and did not have anything to do with trees in staff's opinion. He said trees would be affected by placement of the building, setback, parking, and utility trenches.

Commissioner Liese asked why the fence wasn't completed for the property to the east.

Mr. McCullough said he could not recall the details of why the fence had a gap in it. He said staff could check to see if it was a site plan infraction.

Commissioner Denney inquired about joint access with the property to the east. He asked if it was part of the rezoning request.

Mr. McCullough said that would be part of the site plan process.

Commissioner Denney asked if rezoning would not have any effect on the number of cutouts on 6th Street.

Mr. McCullough said that was correct. He said it was under the purview of the administrative site plan process and the City Traffic Engineer review. He said City Commission would be the final arbitrator if there was not agreement between the Code, applicant, and staff.

ACTION TAKEN

Motioned by Commissioner Kelly, seconded by Commissioner Sands, to approve the request to rezone approximately 1.04 acres, from UR (Urban Reserve) District to RMO (Multi-Dwelling Residential - Office) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Commissioner Denney asked if the RMO zoning allowed multiple dwellings on the property.

Mr. McCullough said yes.

Commissioner Denney asked if there could be a group of apartments on the second floor of the building.

Mr. McCullough said that was correct.

Commissioner von Achen said she would support the motion but encouraged the architect to preserve as many trees as possible for a buffer to the neighbors to the south.

Commissioner Britton said he would support the motion. He said it was a piece of property that development was inevitable along 6th Street.

Unanimously approved 8-0.