

STAFF REPORT
November 9, 2006

No. 06PD087 - Major Amendment to a Planned Commercial Development ITEM 47

N12°33'06"E, a distance of 168.90 feet, more or less to the point of beginning. Said parcel contains 0.70 acres, more or less.

PARCEL ACREAGE Approximately .70 acres

LOCATION 910 Fifth Street

EXISTING ZONING Office Commercial District (Planned Commercial Development)

SURROUNDING ZONING

 North: Office Commercial District - High Density Residential District

 South: High Density Residential District

 East: High Density Residential District

 West: High Density Residential District

PUBLIC UTILITIES City sewer and water

DATE OF APPLICATION 10/13/2006

REVIEWED BY Vicki L. Fisher / Todd Peckosh

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial and Final Development Plan be approved with the following stipulations:

1. The structure shall be used for office(s). Any other use shall require a Major Amendment to the Planned Commercial Development;
2. A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
3. A minimum of 57,450 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary;
4. The parking requirement is hereby reduced from 69 parking spaces to 37 parking spaces. Two of the parking spaces shall be handicap accessible with one of the handicap spaces being "van accessible". Any removal of the building in whole or part or any change in use shall require that additional parking be provided as per the City's adopted Off-Street Parking Ordinance;
5. The front yard setback is hereby reduced from 25 feet to 12.4 feet for the existing building. Any removal of the building in whole or part shall require that a minimum 25 foot front yard setback be provided;
6. The side yard setback is hereby reduced from 25 feet to .8 feet for the existing building. Any removal of the building in whole or part shall require that a minimum 25 foot side yard setback be provided;

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7. The rear yard setback is hereby reduced from 25 feet to 7.7 feet for the existing building. Any removal of the building in whole or part shall require that a minimum 25 foot rear yard setback be provided;
8. A maximum lot coverage of 44% in lieu of 35% shall be allowed. Any removal of the building in whole or part shall require that a maximum 35% lot coverage be maintained;
9. All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Initial and Final Planned Commercial Development. Any additional signage shall require a Major Amendment to the Planned Commercial Development;
10. The dumpster shall be located as proposed on the site plan and shall be screened with an opaque screening fence;
11. All International Fire Codes shall be met. In particular, any change in use shall require that the building be sprinklered;
12. Prior to issuance of a building permit, the approach along 5th Street shall be widened from 16 feet to 20 feet to accommodate two way traffic or an Exception to the Street Design Criteria Manual shall be obtained; and,
13. The structure shall conform architecturally to the plans and elevations and color palette submitted as part of this Initial and Final Planned Commercial Development.

GENERAL COMMENTS:

The applicant has submitted a Major Amendment to a Planned Commercial Development to expand the existing commercial structure and to allow office commercial use in the building, eliminating the assembly use that was previously approved.

On May 4, 2006, the Planning Commission approved an Initial and Final Planned Commercial Development to allow an assembly hall with offices within the existing structure on the subject property. (See companion item #06PD023.)

On October 30, 2006, City staff approved an Exception request to allow access from 5th Street, the higher order street, and to reduce the separation between the driveway approach on 5th Street and the intersection of 5th Street and Columbus Street from 230 feet to 36 feet. In addition, the City staff approved an Exception request to allow the retaining wall and two parking spaces to remain in the sight triangle located at the corner of 5th Street and Columbus Street.

The property is located in the southeast corner of the intersection of 5th Street and Columbus Street. Currently, the Knights of Columbus Recreational Center is located on the property and is used as an assembly hall and offices.

STAFF REVIEW:

Staff has reviewed the Initial and Final Planned Commercial Development request and has noted the following considerations:

Commercial Structure: The applicant has submitted building elevations of the commercial structure identifying that the existing building will be expanded. In particular, the elevations identify that an entrance is being proposed along the north side of the building. In addition,

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canopies will be constructed over the entrances and windows located along the north and west side of structure. The structural elevations also identify the addition of windows along the north and south side of the building. In addition, the elevations identify an altered roof design with an arched sky light on the northern portion of the building. The building has been constructed with red brick, wood and glass. The elevations identify that the canopies and altered roof design will be hunter green in color. The architectural design of the building appears to be complimentary to the neighborhood and the existing surrounding land uses. As such, staff is recommending that the commercial structure continue to conform architecturally to the plans, elevations and color palette submitted as a part of this Major Amendment to the Planned Commercial Development.

Setbacks/Lot Coverage: The applicant is requesting to reduce the setbacks for the existing building as follows:

- To reduce the front yard setback from 25 feet to 12.4 feet
- To reduce the side yard setback from 25 feet to .8 feet
- To reduce the rear yard setback from 25 feet to 7.7 feet

The applicant is also requesting to increase the maximum lot coverage from 35% to 44% for the existing building. Staff has noted that the building has been located on the property approximately 40 years. The adjacent streets serve as a buffer between the subject property and adjacent properties on three sides of the lot. In addition, the previous Initial and Final Planned Commercial Development approved the reduced setbacks as identified with the stipulation that the minimum setbacks and lot coverage be provided upon any structural change in the building. However, the proposed expansion does not further encroach into the setback(s) nor does it remove any portion of the building. As such, staff is recommending that the Variances and lot coverage be granted as requested for the existing building. Any removal of the building in whole or part will require that all setback(s) and lot coverage requirements be met.

Parking: The office use requires a minimum of 69 parking spaces. In addition, two of the spaces must be handicap accessible with one of the handicap accessible spaces being "van" accessible. The applicant's site plan identifies that 37 parking spaces are being provided with two of the spaces being handicap accessible. The applicant has requested a reduction in the parking requirement to allow 37 spaces for the proposed office use. The original Planned Commercial Development was approved reducing the parking requirement from 303 parking spaces to 39 parking spaces for the assembly and office use. Typically, staff would not support such a large parking reduction. However, the use existed on the site for approximately 40 years with limited impact on the neighboring properties. In addition, additional parking could not be provided within close proximity to the site.

The applicant is now proposing to eliminate the assembly use from the property significantly reducing the parking requirement. In addition, the applicant has submitted a site plan showing the addition of approximately 40,000 additional landscaping points within the parking lot and/or adjacent to the parking lot. As such, staff is recommending that the parking requirement be reduced as requested. However, any removal of the building in whole or part or any change in use will require that additional parking be provided as per the

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City's adopted Off-Street Parking Ordinance.

Landscaping: A minimum of 16,953 landscaping points are required. The applicant's site plan identifies that 57,450 points are being provided. As noted above, a substantial amount of the landscaping is provided along and/or within the parking lot. Staff is recommending that a minimum of 57,450 landscaping points be provided as proposed. The landscaping plan must comply with all requirements of the Zoning Ordinance. In addition, all landscaping must be continually maintained in a live vegetative state and replaced as necessary;

Fire: The Fire Department has indicated that all International Fire Codes must be met as a part of any reuse and/or redevelopment of the site. In particular, any new use will require that the building be sprinklered. Staff is recommending that all International Fire Codes be continually met.

Notification Requirement: As of this writing, the receipts from the certified mailings have not been returned nor has the sign been posted on the property. Staff will notify the Planning Commission at the November 9, 2006 Planning Commission meeting if these requirements have not been met.