

## Legislation Details (With Text)

**File #:** 2018-2036      **Name:**

**Type:** Public Hearing - Sworn      **Status:** Filed

**File created:** 5/4/2018      **In control:** City Council - Regular Session

**On agenda:** 6/7/2018      **Final action:** 6/7/2018

**Title:** Continued Public Hearing - Application #PL2018-033 - Rezoning from PI to CP-2 and Preliminary Development Plan - Oakview Storage Development Phase II, 1410 NE Douglas Street; Oakview Capital Partners, LLC, applicant.

**Sponsors:** Planning and Special Projects

**Indexes:**

**Code sections:**

**Attachments:** 1. Special Use Permit Oakview Storage, 2. Transportation Impact Analysis, 3. Traffic Impact Study, 4. Rezoning Exhibit, 5. Site Plan, 6. Grading Plan, 7. Utility Plan, 8. Site Details, 9. Landscape Plan, 10. Elevation 2, 11. Elevation 1, 12. Prototype Elevations, 13. Location Map

Date	Ver.	Action By	Action	Result
6/7/2018	1	City Council - Regular Session	received and filed	
5/8/2018	1	Planning Commission	recommended for approval as amended	Pass

Continued Public Hearing - Application #PL2018-033 - Rezoning from PI to CP-2 and Preliminary Development Plan - Oakview Storage Development Phase II, 1410 NE Douglas Street; Oakview Capital Partners, LLC, applicant.

Issue/Request:

This application is for the rezoning of 3.28 acres from PI (Planned Industrial) to CP-2 (Planned Community Commercial) and preliminary development plan for the development of three (3) 1-story retail/restaurant buildings. This lot is currently vacant and was previously part of the Polytainers lot.

The plan also depicts future adjacent development to the north and west that are not part of this application and are shown for illustrative purposes only. The development shown to the west is the 4-story, climate controlled, 114,448 square foot indoor storage facility (Appl. #PL2017-205) that was recently approved by the City Council. The development shown to the north is a future hotel project expected to only require staff approval through the final development plan process, provided the development complies with all Unified Development Ordinance (UDO) requirements.

The applicant requests the following modifications: (1) a reduction, by one, from the required number of parking spaces for Lot 2 from 56 to 55 for a restaurant use; (2) a reduction, by 2 feet, from the required 20' parking setback along NE Douglas Street; (3) a reduction, by 0.5 inches, from the required 3-inch caliper for the shade trees; (4) a reduction, by 1 inch, from the required 3-inch caliper for the ornamental trees; and (5) a reduction, by 3 feet, from the required minimum height of 8 feet for the evergreen trees. Staff supports the requested modifications.

It should be noted and re-stated that Lots 1 and 5 as shown on the plan are for illustrative purposes only and are not included within the boundaries of this application. Approval of this application does not constitute any approval for Lots 1 and 5.

Proposed City Council Motion: N/A

Josh Johnson, Assistant Director of Planning Services

Recommendation: Staff recommends APPROVAL of the rezoning and preliminary development plan, subject to the following:

1. A modification shall be granted to the minimum number of parking spaces for a restaurant use, to allow Lot 2 to have 55 parking spaces versus 56.
2. A modification shall be granted to the minimum 20' parking lot setback from the right-of-way, to allow an 18' setback along NE Douglas Street on Lots 2 and 3.
3. A modification shall be granted to the minimum 3-inch caliper size for shade and ornamental trees, to allow 2.5-inch and 2.0-inch caliper sizes for shade and ornamental trees; and (5) a reduction, by 3 feet, from the required minimum height of 8 feet for the evergreen trees. Staff supports the requested modifications.
4. A modification shall be granted to the minimum 8-foot height for evergreen trees, to allow an evergreen tree height of 5 feet at the time of planting on Lots 2, 3 and 4.
5. An application to vacate the excess NE Douglas St right-of-way shall be submitted and approved prior to the issuance of any building permit.
6. The Developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the road improvements recommended in the Transportation Impact Analysis form dated May 2, 2018. No building permits shall be issued for any structures in the development until written proof is provided to the City that the development agreement has been recorded in the Jackson County Recorders' Office. (Added by Staff at Planning Commission)

*...Committee Recommendation*

Committee Recommendation: On the motion of Mr. Funk, seconded by Ms. Roberts, the Planning Commission members voted unanimously by voice vote to recommend APPROVAL of Application PL 2018-033, Rezoning from PI to CP-2, and Preliminary Development Plan: Oakview Storage Development Phase II, 1410 NE Douglas St.; Oakview Capital Partners, LLC, applicant; subject to staff's letter of May 4, 2018, specifically Recommendation Items 1 through 6.