



PREPARED FOR THE PLAN COMMISSION

Project Address: 5133-5237 University Avenue

Application Type: Demolition Permit and Conditional Use

Legistar File ID # [59187](#)

Requested Actions: REVISED (As noted) – Consideration of a demolition permit to demolish an office building and restaurant; consideration of a conditional use in the Suburban Employment (SE) zoning district for multi-family dwellings; consideration of a conditional use in the SE District for a dwelling units in a mixed-use building; consideration of conditional use in the SE District for live/work units; consideration of a conditional use to reduce the number of off-street loading spaces required, as specified in Section 28.141(13)(b); and consideration of a conditional use in the SE District for outdoor recreation, all to construct a mixed-use development containing approximately 12,000 square feet of commercial space and 85 apartments in three buildings.

Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Addendum

On April 10, 2020, the applicant notified Planning staff of their desire to revise the proposed mixed-use development to increase both the amount of commercial square-footage and apartment units in the project. The project team submitted revised plans the following week.

As noted in the revised project materials dated April 17, 2020, the commercial square-footage proposed in the development has been increased from 11,150 to 12,208 square feet across the three proposed buildings, including the restaurant tenant envisioned for Building A, which is now 5,200 square feet on floors 1 and 2. The applicant has also increased the number of dwelling units from 79 to 85, which will be comprised of 38 one-bedroom units (previously 32), 40 two-bedroom units, and seven (7) three-bedroom units. The revised square-footages and unit counts for the project and for each building are enumerated in the revised letter of intent. The applicant indicates that while the commercial space and residential unit mix in each building has changed, the building envelopes have not. The letter of intent does not indicate any changes to the parking being provided for the development.

Also as noted in the ‘Requested Actions’ section above, the project description has been revised to formally include a conditional use request to reduce the number of off-street loading spaces required to serve the development. The zoning data table on page 3 of the April 13 staff report notes that one 10-foot by 50-foot loading space is required for the development; the project plans do not show a designated zone, which requires that the Plan Commission grant a reduction (to zero) as part of its approval of the project. This requirement was also identified as condition #56 of the April 13 staff report under the conditions submitted by the Zoning Administrator.

A revised public hearing notice was published in the City’s official newspaper, and new notices have been mailed to property owners and occupants within 200 feet of the subject site, which reflect the revised project requests.

The revised project data is offered as an addendum to the previous staff report. The Planning Division does not believe that the project analysis, conclusion, and recommendation outlined in the April 13, 2020 staff report are impacted by the modest revisions to the commercial square-footage and six additional dwelling units included in the April 17 revisions.

Recommendation

In closing, if the Plan Commission can find that the standards for demolition permit and conditional use approval are met, the Planning Division recommends that it **approve** the demolition of an office building and restaurant and construction of a mixed-use development containing approximately 12,000 square feet of commercial space and 85 apartments in three buildings at 5133-5237 University Avenue based on the revised application materials dated April 17, 2020 and subject to the conditions recommended by the Urban Design Commission, input at the public hearing, and the conditions from reviewing agencies beginning on **page 9 of the staff report dated April 13, 2020**.