

**WATERFRONT PLANNING ADVISORY BOARD**  
**STAFF REPORT**

**WPAB DATE:** August 12, 2013

**CASE:** 1013 Lambie Street – Impervious Cover Variance (Case No. SP-2013-0169C)

**APPLICANT:** Shawn Breedlove

**AGENT:** Kurt Prossner, P.E.

**ZONING:** GR-MU-CO-NP

**REQUEST:** To allow 70 percent impervious cover for a proposed multi-family residential property within the Festival Beach Subdistrict, which allows a maximum impervious cover of 40 percent for areas not included within a primary or secondary setback.

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**STAFF COMMENTS:** The applicant proposes to construct three (3) two-story multi-family residential buildings (one unit each) with associated improvements on a 0.17-acre site. The developer proposes to exceed the allowable maximum of 40 percent, as per LDC Section 25-2-735 (*Festival Beach Subdistrict Regulations*), by providing as much as 70 percent of impervious cover on the property.

The GR base zoning of this site would allow 90 percent impervious cover if the Waterfront Ordinance did not apply.

This site plan is currently under review by Department of Planning and Development Review staff, and will comply with all other site development regulations upon approval and release of the site development permit.

**PROCESS:** Under LDC Section 25-2-713 (*Variances*), an applicant may request a variance from the Waterfront Planning Advisory Board, and may recommend approval of the variance after determining that:

1. The proposed project and variance are consistent with the goals and policies of the Town Lake Corridor Study, including environmental protection, aesthetic enhancement, and traffic; and
2. The variance is the minimum required by the peculiarities of the tract.

If the Board recommends approval of the variance, this recommendation will be forwarded to the Planning Commission, which will consider the variance at the next regularly-scheduled meeting for which notice can be timely provided. The Planning Commission shall grant or deny the variance based upon 1. and 2. above. If the Board

recommends denial, the applicant may appeal the Board's recommendation to the City Council.

Further, LDC Section 25-2-721 (*Waterfront Overlay Combining District Regulations*) notes that approval of a site plan by the Planning Commission is required if an applicant requests a waiver from a requirement under Section 25-2-713 (*Variances*).

The site plan must also be reviewed and approved by the Parks and Recreation Department, the Environmental Board and the Waterfront Planning and Advisory Board. The Planning Commission will request and consider recommendations from each before approving or denying a site plan.

Upon hearing this case tonight, the WPAB must consider both the request for a variance to allow 70 percent impervious cover and whether to recommend approval of the proposed site plan to the Planning Commission.

**SUMMARY STAFF RECOMMENDATION:** To recommend approval of 70 percent impervious cover for the site, and to recommend approval of the site plan.