



MEMORANDUM

To: Mayor and Council

From: Alice Glasco, Director
Neighborhood Planning and Zoning Department

Date: October 19, 2005

Subject: Item 57 1706-1708 W. Sixth Street C14-00-0025

On September 1, 2005 the City Council passed on 1st reading a rezoning of 1706-1708 W Sixth St. from SF-3-NP to NO-MU-NP with 8 conditions. Two of those conditions, limiting access to Sixth St. and a 145 vehicle trip per day limit will be a conditional overlay in the ordinance. Five of the conditions; a masonry fence, dumpster prohibition, submittal of a site plan, commencement of construction and a rollback provision will be in a private restrictive covenant. One of the conditions requested the staff to explore the possibility of permitting the property to be legal non-complying/non conforming. The staff requested that the applicant present a list of those code requirements from which they were seeking exemption. Exemptions to the site development regulations would include the following:

1. Article 7: Section 25-6-471, Section 25-6-472 and the Transportation Criteria Manual: No paving/technical design with the exception of paving the driveway entrance and drive aisle.
2. Chapter 25-7: Drainage: No on-site detention required.
3. Article 6: Section 25-8-211 and Section 25-8-214: No water quality controls required.
4. Article 10: Section 25-2-1051 and Section 25-2-1066 and The Environmental Criteria Manual Section 2: Landscaping/Buffering not required except the masonry wall as required by the Neighborhood Plan, as amended.
5. Building Criteria Manual: Section 1, Section 4 and Section 5: To require no utility upgrades to commercial standards
6. Article 2: Section 25-2-492: To exceed the overall impervious cover and building coverage under NO base zoning district (objective is current improvements and related parking/driveway are ok)
7. Uniform Building Code: To not comply with major ADA or TAS renovations:
 - a) Except for 20% of the total cost of the overall remodel
 - b) Those areas on the first floor utilized for customer service and waiting

Item 2. Chapter 25-7 Drainage:

Impacts from new impervious cover will increase the run-off for the two, ten, twenty-five and one hundred year storm events. Code requires on site detention for such development. Though the impact may be small for small amounts of impervious cover, it is the cumulative effect of many such projects that can be detrimental to our watersheds. However, if the applicant can demonstrate that a development's increase in run-off does not seriously impact any existing infrastructure then the applicant would be eligible to apply for a waiver to on-site detention. This process is in place in order to control, and offer relief from Code requirements, for just this type of project.

Item 3. Article 6: Section 25-8-211 and Section 25-8-214 Water Quality

On-site controls are required for cumulative increases of 5000 sq. ft or more, over base impervious cover, in the Urban watersheds. With certain developments, the applicant may be granted participation in "payment in lieu" of onsite water quality controls. This program allows difficult to treat, low impact developments to forego onsite treatment and compensate by contributing funds towards regional controls developed by the City. These mechanisms are in place to offer relief from Code for this type of development. Not requiring compliance would leave the regional program short funded.



Alice Glasco, Director
Neighborhood Planning and Zoning Department

jr

cc: Laura Huffman, ACM
Shirley Brown, City Clerk