

Ordinance #

CD-CPC-2023-00109

Location: 625 Prospect

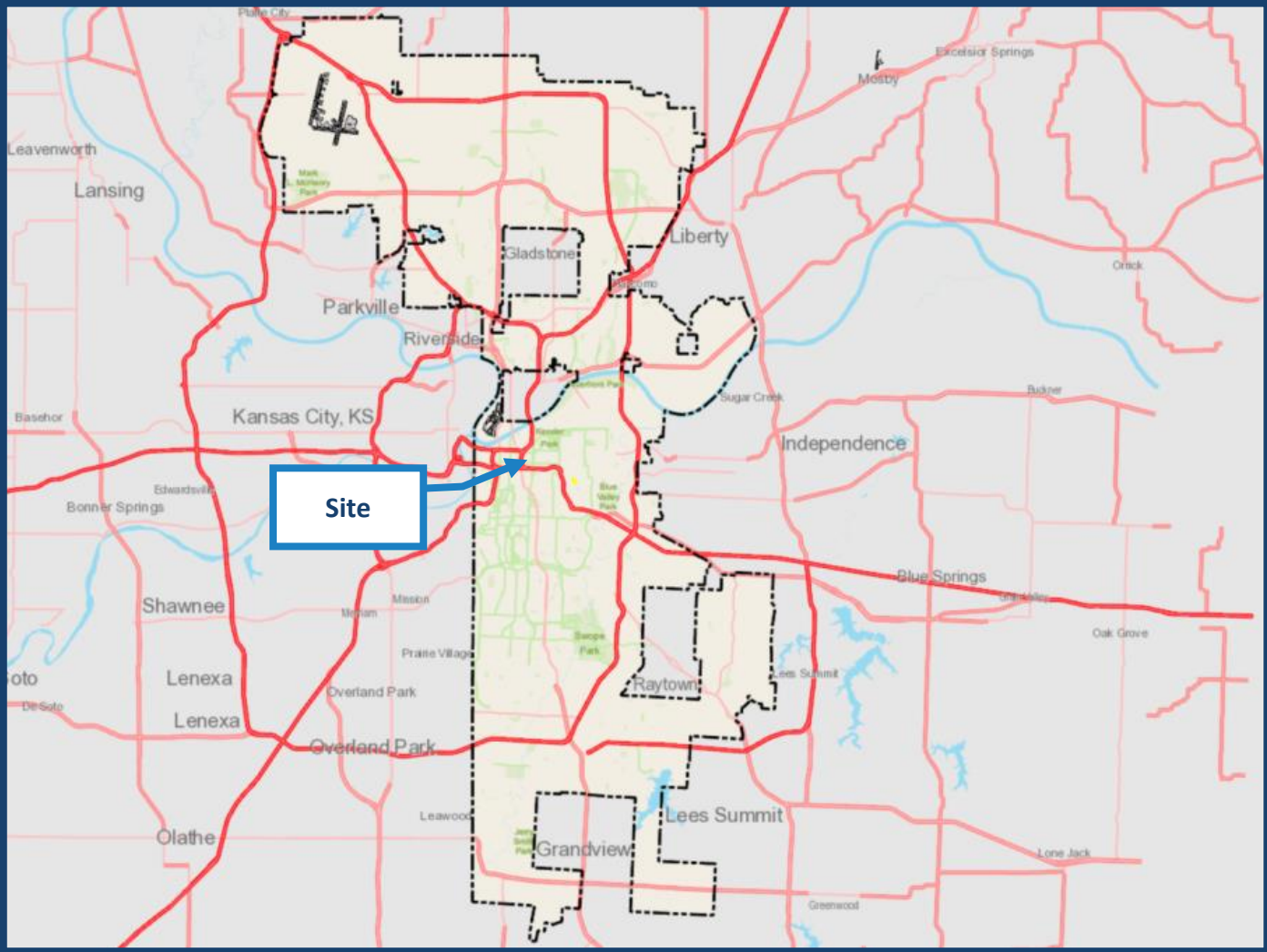
Zoning District: B3-2, B4-5, R-6

Proposed Zoning: UR

Summary: The applicant is seeking to rezoning the subject site to UR (Urban Redevelopment) to construct a mixed-use development.



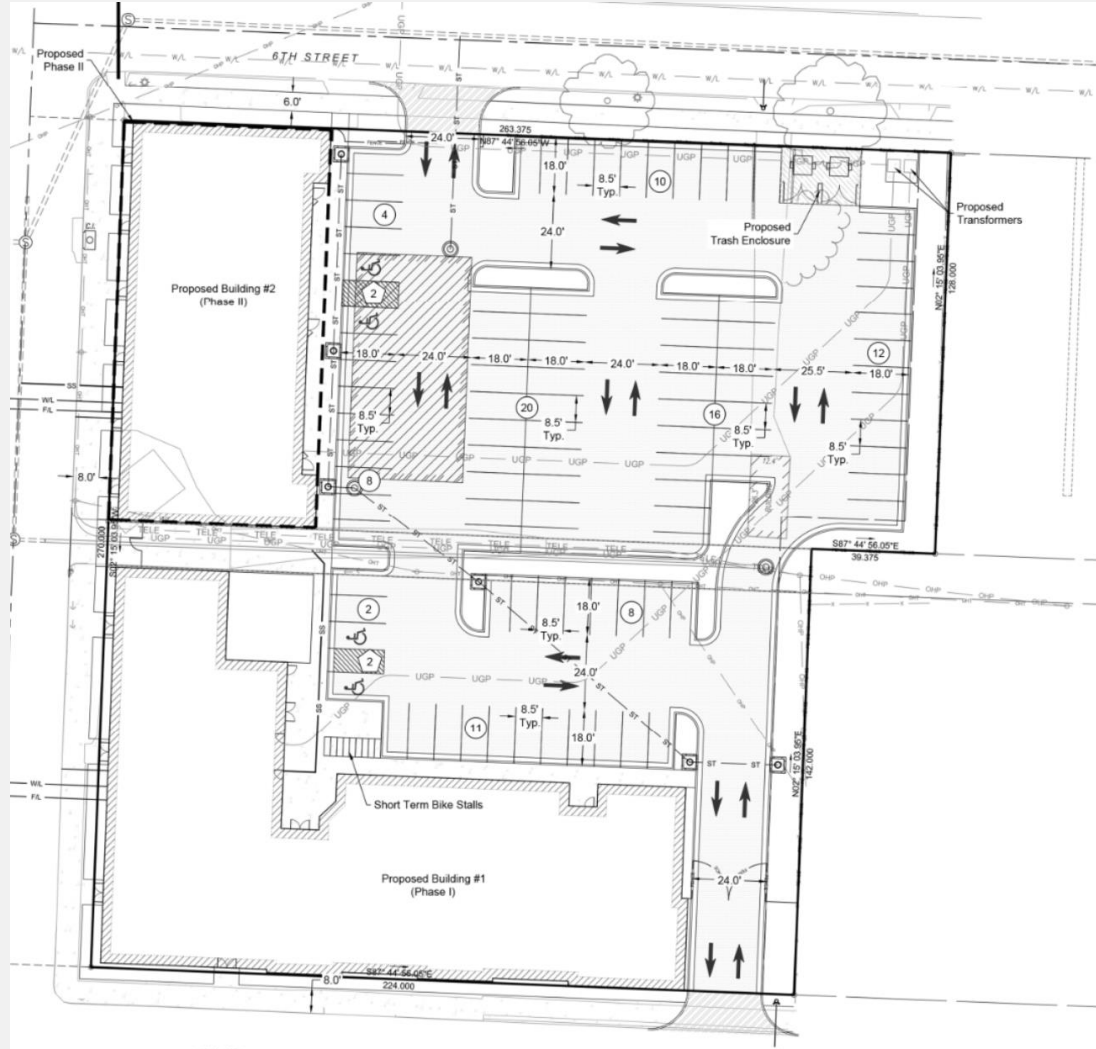
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CD-CPC-2023-00114,9

88-515-08 - REVIEW CRITERIA, REZONING

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

A. conformance with adopted plans and planning policies;

B. zoning and use of nearby property;

C. physical character of the area in which the subject property is located;

D. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

E. suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

F. length of time the subject property has remained vacant as zoned;

G. the extent to which approving the rezoning will detrimentally affect nearby properties; and

H. the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

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88-515-08 - REVIEW CRITERIA, REZONING

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

A. conformance with adopted plans and planning policies;

Truman Plaza Area Plan

- *Mixed Use Neighborhood is the land use designation that corresponds to B1- zoning (B1-3 is the underlying zoning for the proposed project).*
- *Mixed Use Neighborhood land use designation is “primarily intended to accommodate and promote neighborhood serving retail sales or service uses, as well as mixed-use development consisting of business uses on a building’s lower floors and residential uses on upper floors.”*

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88-515-08 - REVIEW CRITERIA, REZONING

In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

H. the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

Diverse housing options and additional retail opportunities are positive additions for the general public, especially in and around major thoroughfares such as Prospect Ave and Independence Blvd.

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88-516-05 - REVIEW CRITERIA FOR DEVELOPMENT PLANS

In order to be approved, a development plan, project plan, or site plan must comply with all of the following criteria:

- A.** The plan must comply with all standards of this zoning and development code and all other applicable city ordinances and policies, (Note: this provision is not intended to prohibit an applicant from seeking a variance or other form of relief authorized under this zoning and development code or other applicable ordinances, when authorized.)
- B.** The proposed use must be allowed in the district in which it is located.
- C. Vehicular ingress and egress to and from the site, and circulation within the site must provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways.**
- D.** The plan must provide for safe, efficient, and convenient non-motorized travel opportunities, being pedestrian and bicycle movement, on the subject site.
- E.** The plan must provide for adequate utilities based on City standards for the particular development proposed.
- F. The location, orientation, and architectural features, including design and material, of buildings and other structures on the site must be designed to be compatible with adjacent properties.**
- G.** Landscaping, berms, fences and/or walls must be provided to buffer the site from undesirable views, noises, lighting or other off-site negative influences and to buffer adjacent properties from negative influences that may be created by the plan.
- H.** The design of streets, drives, and parking areas within the project should result in a minimum of area devoted to asphalt or other impervious surfaces consistent with the needs of the project and city code requirements.
- I.** The plan must identify trees to be removed and trees to be preserved during the development of the subject property with the goal of saving trees that are not required to be removed for the development of the property.

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88-516-05 - REVIEW CRITERIA FOR DEVELOPMENT PLANS

In order to be approved, a development plan, project plan, or site plan must comply with all of the following criteria:

C. Vehicular ingress and egress to and from the site, and circulation within the site must provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways.

- *Parking lot being located behind the building (off Prospect)*
- *Ingress/egress off E 6th and E 7th streets*
- *Parking reductions for the retail use, via a deviation, are attached to this case because of the close proximity to the bus line along Independence Blvd.*



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88-516-05 - REVIEW CRITERIA FOR DEVELOPMENT PLANS

In order to be approved, a development plan, project plan, or site plan must comply with all of the following criteria:

F. The location, orientation, and architectural features, including design and material, of buildings and other structures on the site must be designed to be compatible with adjacent properties.

- *The developer redesigned the aesthetics of the project to align with community input.*
- *The location and orientation of the proposed project are also compatible with Prospect Ave and the Independence Ave Overlay District.*



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City Staff Recommendation

**CD-CPC-2023-00109 (UR Rezoning + Development Plan)
Approval, Subject to Conditions**

City Plan Commission Recommendation

**CD-CPC-2023-00109 (UR Rezoning + Development Plan)
Approval, Subject to Conditions**

