



Legislation Text

File #: 22-0293, **Version:** 1

Use Permit Application by Romero Properties, LLC, to Permit Multifamily Dwellings at 924 Old Big Bethel Road [LRSN: 4000717].

Background Statement:

This is a use permit application by Romero Properties, LLC, to permit multifamily dwellings at 924 Old Big Bethel Road [LRSN: 4000717]. This application is in conjunction with Item 22-00292, which proposes to rezone the property to Multifamily Residential (MD-4) District, which would allow multifamily dwellings with an approved use permit.

If the use permit is to be granted, staff has identified eight (8) recommended conditions based upon the proposed use's operational and land use characteristics. A few key conditions are highlighted below:

- Compliance with the proffered conditions;
- Installation and maintenance of the community amenities;
- Flexibility in the type of permeable paver system utilized in the development;
- Signage for the electric vehicle charging stations.

New Material for January 11, 2023:

The applicant introduced a new proffer statement at the December City Council meeting. In keeping with due process, the City Council deferred the application to the January 11th meeting for it to be properly advertised, give staff appropriate time to review the changes, and allow interested citizens to review the updated application prior to the public hearing. The changes to the proffers were in response to the Planning Commission's recommendation of denial with much of the basis for the recommendation rooted in the proposed density. The applicant has reduced the number of proposed units from 16 to 13 and adjusted the concept plan and building footprints accordingly.

This is an application by Romero Properties, LLC to rezone + 1.3 acres located at 924 Old Big Bethel Rd [LRSN: 4000717] from Residential Transition (RT-1) District to Multifamily Residential (M-4) District with conditions, to build a 16 unit, townhouse style development. The proposed plan includes three (3) two-story buildings. The proposed community amenity includes, but is not limited to, a courtyard with seating and a grilling station.

There are fifteen (15) proffered conditions including a limitation of the use of the site and allowable maximum unit count, conformance with the conceptual plan and elevations, high quality building and fencing materials, inclusion of a community amenity, and resilient and sustainable elements. Additional proffered conditions can be found in the rezoning application.

Recommendations:

Staff Recommendation: Approve with eight (8) conditions

Planning Commission Recommendation: Deny