

ITEM #: 14
DATE: 03-26-24
DEPT: P&H

COUNCIL ACTION FORM

SUBJECT: RESOLUTION EXTENDING THE APPROVAL OF THE MAJOR SITE DEVELOPMENT PLAN FOR APARTMENT BUILDINGS LOCATED AT 913 & 915 DUFF AVENUE

BACKGROUND:

On March 8, 2022, City Council approved a Major Site Development Plan for 913 and 915 Duff Avenue and 115 9th Street (Attachment A). The original report can be read [here](#). The site plan is for two, four-unit apartment buildings with related improvements. Although the base zoning district is Residential Medium Density (RM), the property is within the Single-Family Conservation Overlay District (O-SFC), which requires Council approval for multi-family buildings. O-SFC has design criteria that "conserve the existing single-family residential character" and "protect single-family neighborhoods while guiding the transition to higher density and compatibility with the surrounding uses where intensification is permitted". City Council found the project conforms to all design requirements and included a condition for shared access easement and preservation of tree at the north edge of the site in relation to a water line alignment.

The Zoning Ordinance indicates that site plan approvals lapse within a period of 24 months after the date of approval unless a building permit is issued and actual building construction, including the pouring of footings, has commenced. On March 7, prior to the site plan expiration, the applicant, Lauris Olson, submitted a letter requesting a 12-month extension (Attachment B).

The Zoning Ordinance states the following about the lapse of approval for site development plans (Sec. 29.1502(5)):

- The applicant may, in the case of minor site plans, petition the planning staff or, in the case of major site plans, petition the City Council, to grant a 12-month extension of the approval. Extension of approval shall only be granted if the staff or Council finds that (1) codes pertinent to the site plan have not changed since the site plan approval date, and (2) conditions in the surrounding area have not changed in a manner that would affect the analysis of the project and associated required mitigation.

Staff could not identify any code changes that would impact this site plan approval. Neither the base zoning, Residential Medium Density (RM), nor the Single-Family Conservation Overlay (O-SFC), have been amended since March 2022. The parking regulations pertaining to multifamily and the landscaping requirements for multifamily have also not changed. In relation to the second criterion, staff could not identify any new development or other change of character that has occurred in the surrounding area that would impact the subject property.

ALTERNATIVES:

1. Approve the 12-month extension of the Major Site Development Plan for 913 and 915 Duff Avenue and 115 9th Street with the original conditions.

2. Deny the 12-month extension of the Major Site Development Plan for 913 and 915 Duff Avenue and 115 9th Street.

CITY MANAGER'S RECOMMENDED ACTION:

The Zoning Ordinance has two criteria for approving a site plan extension. Staff concurs with the developer that both criteria have been met. Therefore, the City Manager recommends that the City Council approve Alternative #1.

ATTACHMENT(S):

[Attachment A - Approved Site Plan.pdf](#)

[Attachment B - Request for Site Plan Approval Extension.pdf](#)