

GENERAL INFORMATION

Applicant: Boisclair Corporation (Owner)

Location: 8100 Knox Avenue South

Request: Type III Preliminary and Final Plat to subdivide one lot into two lots for future multiple-family residential development

Existing Land Use and Zoning: Multiple-family residential; zoned RM-50 (PD) Multiple-Family Residential (Planned Development)

Surrounding Land Use and Zoning: North – Retail; zoned C-5
East – Office; zoned C-4 (PD)
South – Single-family residential; zoned R-1
West – Reservoir; zoned R-1

Comprehensive Plan Designation: High Density Residential

HISTORY

City Council Action: 08/15/77 - Final Development Plan for a 15-story, 212-unit elderly housing project approved (Case 8056A-77).

CHRONOLOGY

Planning Commission Action: 05/24/2018 – Recommended approval of Preliminary and Final Plats.

City Council Agenda: 06/04/2018 – Public hearing scheduled.

PROPOSAL

The applicant proposes subdividing one 204,300 square-foot lot, 8100 Knox Avenue South, into two lots for a future independent senior and assisted living development. The existing property, Knox Landing, includes a 15-story, 212-unit independent senior living building. The subject plat, Reservoir Park 3rd Addition, is intended to subdivide the property into to a north lot and south lot. The existing senior living building will occupy the southern lot, whereas the north lot is planned for future development. The resulting lot sizes would be the following:

- Lot 1: 101,862 square feet (2.34 acres)
- Lot 2: 102,430 square feet (2.35 acres)

The applicant has provided a preliminary site plan to inform the review of the plat. While the preliminary site plan is beneficial for the review of the plat, no approvals for future development are sought at this time. The plat is the focus of the subject application. The applicant will also seek a rezoning at a later date as the proposed density would not be allowed under the existing RM-50 Zoning District.

The proposed plat includes drainage and utility easements, many of which are carried forward from the existing plat, Reservoir Park 2nd Addition. Due to the water reservoir to the west of the subject property and other major stormwater management infrastructure planned in the immediate vicinity, the existing and proposed easements are more significant than standard drainage and utility easements associated with a plat.

ANALYSIS

The subject property is zoned RM-50 Multiple-Family Residential. The minimum lot size and lot width requirement in the RM-50 zoning district is 80,000 square feet and 200 feet respectively. Given that both parcels proposed exceed 100,000 square feet in size and 250 feet in width, both lots meet the minimum dimensional requirements of the RM-50 zoning district.

The maximum residential density of the RM-50 zoning district is 50 dwelling units per acre. The density of the existing site is 45.2 dwelling units per acre (212 units/4.69 acres). It should be noted that calculating the resulting residential density of the southern lot (Lot 2) with the existing 212-unit building following the proposed subdivision would exceed the density limits allowed in the RM-50 zoning district. The resulting residential density of Lot 2 would be 90.2 dwelling units per acre (212 units/2.35 acres). However, due to the fact that Knox Landing was developed as a planned development (PD), the density is calculated across the total land area of the planned development (4.69 acres). As a result, the proposed subdivision does not conflict with the maximum density allowed in the RM-50 zoning district, as the parcels would remain part of one larger planned development. Any future development applications expanding the number of residential units will require that the planned development (PD) be revised, requiring City Council approval. In addition, rezoning the site would be required to accommodate the number of additional residential units the property owner has indicated is under consideration.

No physical site modifications or disturbance are proposed at this time. However, any future application for a senior and assisted living facility must meet the structure placement requirements of the RM-50 zoning district (Sec. 21.301.02(d)(1)) or any pertinent zoning district should the site be rezoned. A future development would require a full review, including a public hearing before the Planning Commission and likely the City Council.

Due to the presence of existing and future utilities in the area, there are a number of easements that must be included in the plat. In addition to standard drainage and utility easements, larger utility easements are needed along the northern and western boundaries to accommodate trunk watermain and storm sewer. There is an existing transportation easement located in the southwest corner of the site to accommodate a bus drop-off/turn-out. This easement remains on the proposed plat. Finally, there is an existing 20-foot sidewalk/bikeway easement along West 82nd Street and Knox Avenue South that is also documented on the proposed plat. All the necessary easements must be provided as approved by the City Engineer.

Regarding right-of-way dedication, the southern and southeastern property boundaries are in close proximity to West 82nd Street and the right turn lane from southbound Knox Avenue South to westbound West 82nd Street. The Traffic Division is evaluating the right-of-way required in these locations. Prior to Planning Commission review, staff will work with the applicant to ensure required right-of-way dedication and easements are provided to accommodate West 82nd Street and the Knox Avenue and West 82nd Street intersection and will present the changes at the hearing.

Finally, the Penn American District Plan calls for the creation of an east-west street (West 81 ½ Street) between Penn Avenue and Knox Avenue. The street is in place near Penn Avenue. The anticipated roadway design establishes a 60 foot right-of-way. As a result, staff is requesting the applicant create a 30-foot outlot along the northern boundary to accommodate the future roadway, which is likely to be a private drive, as required by the Penn American District Plan. Prior to recording the plat, all right-of-way must be provided as approved by the City Engineer.

Similar to any platting action in the City, parkland dedication fees are triggered by the plat application. Section 22.10 of the City Code establishes procedures for park dedication associated with a plat. The quantity of the fee is based on the amount of development proposed or 10 percent of land value. The parkland dedication fee is determined by the City's Assessing Division and must be satisfied prior to the recording of the plat. A condition of approval is recommended relating to the satisfaction of the required parkland dedication fees.

Status of Enforcement Orders

There are no open enforcement orders at the subject properties.

FINDINGS

Required Preliminary Plat Findings - Section 22.05(d):

Required Finding	Finding Outcome/Discussion
(1) The plat is not in conflict with the Comprehensive Plan.	Finding Made – The subject property is guided High Density Residential. The proposed plat will allow for the development of additional senior housing in the future. The proposed plat is consistent with the Comprehensive Plan.
(2) The plat is not in conflict with any adopted District Plan for the area.	Finding Made – The subject property is located within the area subject to the Penn American District Plan. The Plan envisions the subject property to be utilized for High Density Residential land uses. The proposed plat would help achieve the District Plan vision and is not in conflict as a result.
(3) The plat is not in conflict with City Code provisions.	Finding Made – The proposed plat conforms with the dimensional requirements of the RM-50 zoning district and other City Code standards. The plat is not in conflict with the provisions of the City Code.
(4) The plat does not conflict with existing easements.	Finding Made – Easements on the existing plat that must remain are carried forward with the proposed plat. The proposed plat must accommodate all necessary easements as approved by the City Engineer. The plat does not conflict with existing easements.
(5) There is adequate public infrastructure (roads, utilities, storm water systems, emergency services, schools, etc.) to support the additional development potential created by the plat.	Finding Made – The subject property is located within the Penn American District, which is well served by public infrastructure, including arterial and collector roadways and public transit. There is adequate public infrastructure to support the development.
(6) The plat design mitigates potential negative impacts on the environment, including but not limited to topography; steep slopes; trees; vegetation; naturally occurring lakes, ponds, rivers and streams; susceptibility of the site to erosion, sedimentation or flooding; drainage; and stormwater storage needs.	Finding Made – No negative impacts to the environment are anticipated as a result of the plat. Future development on the subject property must comply with all applicable stormwater management requirements and other applicable laws.

Required Finding	Finding Outcome/Discussion
(7) The plat will not be detrimental to the public health, safety or welfare.	Finding Made – The plat will allow for the future development of additional senior housing in the Penn American District, supporting the overall district vision. There is adequate public facilities to serve additional high density development on this site. The plat will not be detrimental to the public health, safety or general welfare.
(8) The plat is not in conflict with an approved development plan or plat.	Finding Made – The proposed plat is not in conflict with the approved development plan or existing plat, Reservoir Park 2 nd Addition.

Required Final Plat Findings - Section 22.06(d):

Required Finding	Finding Outcome/Discussion
(1) The plat is not in conflict with the approved preliminary plat or the preliminary plat findings.	Finding Made – The final plat is consistent with the preliminary plat and preliminary plat findings.

RECOMMENDATION

Planning Commission and staff recommend approval of the Preliminary and Final Plat through the following motion:

In Case PL2018-143, having been able to make the required findings, I move to approve the Preliminary Plat and adopt a resolution approving the Final Plat of Reservoir Park 3rd Addition located at 8100 Knox Avenue South, subject to the conditions and Code requirements attached to the staff report.

RECOMMENDED CONDITIONS OF APPROVAL

Case PL2018-143

Project Description: Type III Preliminary and Final Plat to subdivide one lot into two lots for future multiple-family residential development.

Address: 8100 Knox Avenue South

The following conditions of approval are arranged according to when they must be satisfied. In addition to conditions of approval, the use and improvements must also comply with all applicable local, state, and federal codes. Codes to which the applicant should pay particular attention are included below.

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| 1. | Prior to Recording | Right-of-way on West 82nd Street and Knox Avenue South must be dedicated as approved by the City Engineer. |
| 2. | Prior to Recording | Public drainage and utility easements must be provided as approved by the City Engineer. |
| 3. | Prior to Recording | A 10 foot sidewalk/bikeway easement must be provided by document along street frontages as approved by the City Engineer and proof of filing must be provided to the Manager of Building and Inspection. |
| 4. | Prior to Recording | A 30-foot wide outlot parallel to the north boundary must be provided for the future extension of West 81st 1/2 Street per the Penn American District Plan. |
| 5. | Prior to Recording | A title opinion or title commitment that accurately reflects the state of title of the property being platted, dated with 6 months of requesting City signatures, must be provided. |
| 6. | Prior to Recording | A consent to plat form from any mortgage company with property interest must be provided. |
| 7. | Prior to Recording | Park dedication must be satisfied. |