



## Legislation Text

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**File #:** 18-233, **Version:** 1

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### **ACTION REQUESTED:**

Communication from the City Manager and Director of Community Development with a Request to Concur with the Recommendation from the Planning and Zoning Commission and Staff to ADOPT an ORDINANCE Approving a SPECIAL USE in a Class WM (West Main Form) District for a MIXED USE DEVELOPMENT, with Waivers, for the Property Located at 839 W MAIN STREET, more Specifically Including Addresses of 839 W. MAIN STREET; 1013 and 1029 ORANGE STREET; 834, 838, and 842 RUSSELL STREET; and 1010, 1012, 1016, 1018 and 1022 GARFIELD AVENUE, and Identified as Parcel Identification Nos. 18-05-429-001 through 18-05-429-011, and 18-05-429-013. (Council District 2)

**BACKGROUND:** The request is to build a mixed use development north of Main, between Garfield to the west, Orange to the east, and Russell to the north. The southeast corner of the block is excluded.

More specifically, the development will consist of five buildings, totaling 157,951 square feet. The main building will be located at the corner of Main and Garfield, and will include 2740 square feet of retail space on the first floor. Separately, approvals for the development include alley vacation. The alley with an entrance from Orange Street is proposed to remain un-vacated.

The development includes multiple frontages within the Main Street Form District. Main Street frontage is Neighborhood Center; Russell is R4 frontage; side streets contain afore mentioned plus Local Commerce. While the use itself does not require a special use, several waivers are requested, and the waivers necessitate the special use (per the Unified Development Code).

During the neighborhood meeting, a question was raised about the appropriateness of "Cor-Ten" as an exterior siding material. "Cor-Ten" is the trademarked nomenclature that US Steel uses for one of their products. However, much like "Kleenex" and "Xerox," the term has come to be used to describe a whole range of exterior metal products from various manufacturers that naturally develop a rust patina. There is a mention on the US Steel webpage about not using Cor-Ten for roofing or siding. However, US Steel has a new product named Cor-Ten AZP that they are suggesting is appropriate for siding use.

For the Muse project, the actual product is manufactured by Western States Metal and is called, "RustWall" panel. This product is appropriate for exterior siding use and has been used in multiple similar projects throughout the country.

At a Special Meeting on July 12, 2018, the Planning and Zoning Commission voted 6 - 0 to approve the following waivers and conditions:

*Waivers:*

1. Waiver of definition of family to allow more than four unrelated adults to reside in a dwelling unit.
2. Waiver requested from Section UDC 6.4.A.4. (Neighborhood Center) to allow zero finished floor elevation for approximately 96 feet along the Garfield frontage of Building 1.
3. Waiver from UDC 6.4.B.3. to allow a functioning door at intervals greater than 60 feet, in this case to allow only one within greater than 120 feet.
4. Waiver requested from UDC 6.4.C.1.b. (Local Commerce) to allow an additional story, for a total of three stories in the local commerce frontage.
5. Waiver requested from UDC 6.4.C.4. (Local Commerce) to allow a finished first floor elevation of 18" above the sidewalk.
6. Waiver requested from UDC 6.4.G.2. (R-4) to allow a finished first floor elevation of 18" above the sidewalk.

*Conditions:*

1. Provide a visual break in the building facades every 15-30 feet. This may be accomplished with arrangement of materials.
2. Submit a compliant lighting plan prior to or with building permit application.
3. All right-of-way work, including curb work must be approved by Public Works with applicable permits.
4. Site plan is conditioned on approval of associated alley vacation.
5. Obtain all applicable permits.
6. All items for which a waiver was not requested must comply with Ordinance requirements.

More information is provided in the attached memorandum to the Planning and Zoning Commission dated July 12, 2018.

**FINANCIAL IMPACT:** Financials

**NEIGHBORHOOD CONCERNS:** A neighborhood meeting was held on July 5, at which time residents expressed both support for the project and concerns that included, long term maintenance of the project, adherence to the code, building materials, and impact on the neighborhood. At hearing itself, only one resident spoke and iterated his same concern for building materials and vertical architectural spacing on the façade.

**IMPACT IF APPROVED:** A 152 unit, mixed use development may be constructed at the subject location.

**IMPACT IF DENIED:** The developer will need to determine if they wish to project with the project. If the proposed plans are revised to meet requirements without the need for waivers, it may be approved administratively.

**ALTERNATIVES:** N/A

**EEO CERTIFICATION NUMBER:** N/A

**WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?**

Grow Peoria

**WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?**

1. Grow employers and jobs
2. Reinvest in neighborhoods

**DEPARTMENT:** Community Development