



Legislation Details (With Text)

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Type: Ordinance **Status:** Agenda Ready

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On agenda: 2/1/2022 **Final action:**

Title: Pass the ordinance approving a two-year extension of the effective period of the deviations and fee-in-lieu of parking approved by Ordinance 20-014 for the River Main development from February 19, 2022 to February 19, 2024 - PZC 19-1-131

Sponsors:

Indexes:

Code sections:

Attachments: 1. River Main Extension Ordinance.pdf, 2. Attach 1 - Owner's Letter of Extension Request.pdf

Date	Ver.	Action By	Action	Result
2/1/2022	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance approving a two-year extension of the effective period of the deviations and fee-in-lieu of parking approved by Ordinance 20-014 for the River Main development from February 19, 2022 to February 19, 2024 - PZC 19-1-131

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Ying Liu, AICP

BOARD/COMMISSION REVIEW:

N/A

BACKGROUND:

The subject property consists of approximately 0.26 acres at the northwest corner of Main Street and Water Street with a street address of 111 Water Street. It is zoned B4 (Central Business District) with a conditional use for the River Main Planned Unit Development (PUD). A five-story, mixed-use building measuring 69 feet in height with a FAR of 2.8 is planned for the site.

- On March 7, 2017, City Council passed Ordinance 17-030, approving a conditional use for a planned unit development and a preliminary/final PUD plat for River Main.
- On February 18, 2020, City Council passed Ordinance 20-014 approving two PUD deviations to allow the River Main building to exceed the maximum permitted height of sixty (60) feet and the maximum floor area ratio (FAR) of 2.5, subject to a payment in the amount of \$47,595 based on the parking fee in-lieu-of provisions of Section 11-2E-3 of the Municipal Code. This payment has been made by the owner of the subject property.

- On June 15, 2021, the City Council passed Ordinance 21-069 approving a minor change to the River Main PUD to accommodate a building overhang on the upper boardwalk and lower Riverwalk for the subject property.

Ordinance 20-014 was signed and became effective on February 19, 2020. Section 4 of Ordinance 20-014 stipulates that “the deviations and fee in lieu of parking approved by this Ordinance shall expire unless within two years from the effective date of this Ordinance: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.” Based on this provision, Ordinance 20-014 will expire on February 19, 2022 unless a building permit has been obtained and the construction has been started.

DISCUSSION:

The City has approved all site and building construction documents for the River Main development. However, issuance of a site permit or a building permit is contingent upon completion of a number of outstanding items, including but not limited to, posting of surety and recording of associated subdivision plat and agreements.

The owner of the subject property, River Main LLC, submitted a letter on January 18, 2022 requesting a two-year extension of the deviation and fee-in-lieu of parking provisions set forth in Ordinance 20-014 from February 19, 2022 to February 19, 2024 (attached). The letter indicates that an extension is needed to allow additional time to complete contractor selection, financing, and lead tenant search prior to commencement of construction.

Key Takeaway

- The owner of River Main is requesting a two-year extension of the deviation and fee-in-lieu of parking provisions set forth in Ordinance 20-014 from February 19, 2022 to February 19, 2024.

FISCAL IMPACT:

A payment in the amount of \$47,595 has been made by the owner of the subject property based on the parking fee in-lieu-of provisions of Section 11-2E-3 of the Municipal Code.