

Liberty Road Apartments-West

Adjustment Class-2 Application

July 26, 2024

Proposal:

The subject property is 6.69 acres in size, zoned RMII, and located at 5871 Liberty Road S (083W16C/Tax Lot 600). The subject property is Lot 35 of SUB-UGA-ADJ20-05.

The applicant is proposing a development consisting of 135-apartment units as shown on the site plans.

The applicant is requesting an adjustment greater than 20% adjustment to Sec. 702.020(e)(4) Façade and building design:

“(4) On sites with 75 feet or more of buildable width, a minimum of 40 percent of the buildable width shall be occupied by building placed at the setback line to enhance visual interest and activity along the street. Accessory structures shall not apply towards meeting the required percentage.”

Adjustment Criteria-SRC 250.005(d)(2) Criteria:

(A) The purpose underlying the specific development standard proposed for adjustment is:

- (i) Clearly inapplicable to the proposed development; or**
- (ii) Equally or better met by the proposed development.**

(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

Applicant Findings:

- (A)** The purpose of this requirement is to provide a pedestrian friendly development with building located close to the sidewalks.

Rise Street

The subject property has 352 feet of buildable width (this excludes required side setbacks) along Rise Street. Buildings 6 and 7 are located along Rise Street. Code requires a minimum of 40% of the buildable width be occupied by buildings placed on the setback line. As shown on the site plan, the buildings total 204 feet of the buildable width along the street frontage. Occupying 58% of the buildable width of street frontage along Rise Street.

However, due to the topography on this side of the development, Buildings 6 and 7 are not located on the setback line.

As shown on the site plan, the area adjacent Rising Street is sloped and moving the buildings to the 20-foot setback line is not feasible. The slope of this area makes it very difficult to locate Buildings 6 and 7 on the setback line.

Big Mountain Avenue Extension

The subject property has 143 feet of buildable width (this excludes required side setbacks) along Big Mountain Avenue.

Due to the location of the detention basin, there are no buildings proposed along Big Mountain Avenue.

- (B) The apartment development will provide additional landscaped areas throughout the site along with pedestrian paths/sidewalks through, along with visual appealing buildings. All of which will create a pedestrian friendly development. The reduction of buildings along the setback line will have no effect on the proposed use or surrounding uses.
- (C) There are more than two adjustments being requested for this proposal. The adjustments do not have any effect on the project.