



## Legislation Text

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**File #:** 20-256, **Version:** 1

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**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability  
**AGENDA DATE:** February 26, 2020  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Department of Sustainable Development and Construction  
**EXECUTIVE:** Majed Al-Ghafry

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### **SUBJECT**

Authorize acceptance of a zoning application on property with delinquent taxes located at 5713 and 5715 Sadler Circle - Financing: No cost consideration to the City

### **BACKGROUND**

Section 51A-1.104.1 of the Development Code states "...when submitting an application, the applicant must submit proof, such as a tax certificate, that property taxes and any city fees, fines, or penalties are not delinquent on the subject property. Unless such proof is submitted, the application will be considered incomplete and returned to the applicant." The code allows a waiver of this requirement by two-thirds vote of the City Council. The waiver may be made if 1) it "will facilitate urban redevelopment, historic conservation, or an important planning objective;" 2) "a pending sale of the property is contingent on the zoning application, and the applicant can supply evidence, such as a contract of sale, that the taxes and any city fees, fines, or penalties will be paid at closing;" or 3) "the applicant can demonstrate financial hardship that makes payment of taxes impossible, and approval of a waiver will improve the applicant's ability to pay the taxes and any city fees, fines, or penalties."

The applicant, Ced Rudy, represented by Rob Baldwin of Baldwin Associates, has requested a waiver of the requirement that taxes be paid prior to the acceptance of an application for a zoning case on property including 5713 and 5715 Sadler Circle. The applicant indicates that he proposes to submit an application to change the zoning from an IR Industrial Research District to a residential district to allow multifamily housing. The area of request for the zoning application will consist of six parcels, two of which are delinquent on property taxes. Currently the property is developed with office/warehouse uses.

The applicant indicates that the reason for the waiver is twofold. The purchase of the property would occur if the zoning request was approved and taxes due on the property would be paid at the time of the closing. A copy of the contract of sale was included with the application. The second reason indicated for the request is to facilitate urban redevelopment, historic conservation or an important planning objective

As of the date of the application, the applicant indicates \$46,535 in back taxes are owed on the properties. Taxes dating to 2016 are owed on 5713 Sadler Circle in the amount of \$20,326. The taxes owed on 5715 Sadler Circle total \$26,209 date back to 2016. No City fees are due on either of the lots.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

This item has no prior action.

**FISCAL INFORMATION**

No cost consideration to the City.

**OWNER**

Ced Rudy

**MAP**

Attached