

STAFF REPORT FOR CONDITIONAL USE REQUESTED FROM THE PLANNING COMMISSION

PLN-MAR-19-00009: WINTERWOOD, INC.

REQUESTED CONDITIONAL USES

1. Community center

ZONING ORDINANCE

Article 6-4(c) states: "The Planning Commission may hear and act upon requested conditional uses and variances associated with a zone change. If the Planning Commission should choose to hear a conditional use or variance request, the Planning Commission shall have all of the powers and responsibilities of the Board of Adjustment, as defined in Articles 7-6(a) and 7-6(b) of the Zoning Ordinance. All conditional use and variance applications shall be acted upon by the Planning Commission within ninety (90) days of the application, unless postponed further by the applicant."

Article 8-12(d)(3) lists community centers as a conditional use in the R-3 (Planned Neighborhood Residential) zone.

CASE REVIEW

This 3.82-acre property, which is located on the south side of Versailles Road between Terrace View Drive and Oxford Circle, is the subject of a zone change request to the R-3 (Planned Neighborhood Residential) zone to allow for the construction of a multi-family development. The proposed development includes four (4) multi-family apartment buildings, with a total of 28 dwelling units, and a community center. The proposed development represents a density of 7.33 dwelling units per acre. In compliance with the LFUCG Zoning Ordinance Article (8-12(d)(3)), the applicant is seeking a conditional use for the establishment of the community center.

The subject property is located within a mixed-use neighborhood that currently includes various residential, business, and professional office land uses. Those properties that directly abut the property include detached single family residences (R-1C and R-3 zones), duplexes (R-2 zone), and multi-family residential (R-3). The neighborhood also includes the Cardinal Hill Rehabilitation Hospital and support medical offices (P-1 zone), two neighborhood parks (Hillcrest Memorial Park and Pine Meadows Park), neighborhood shopping areas along Oxford Circle (B-1 zone), and a place of religious assembly.

The addition of the community center as a conditional use with the zone change will allow the applicant to further adhere to the policies of the Comprehensive Plan. The use proposed by the applicant includes programming for the residents of the proposed multi-family residential and the established duplexes to the east of the subject property, as well as oversight of the properties. The applicant has indicated that the community center would be made available to the surrounding neighborhoods for broader programming. In general, these uses are encouraged by the Comprehensive Plan, and will coincide with and help to facilitate the adopted pillars of the Plan. Traffic from the proposed conditional use, even with the associated residential development, should not exceed the carrying capacity of the current road system, as the targeted population is the current and future residence of the area, who will be accessing these roadways already.

The 2018 Comprehensive Plan advocates providing community centers as focal points within walkable and accessible developments, while also trying to collocate such centers with useable open space. The location of the site near transportation networks, near parks, and providing services to individuals and areas that are in need are all elements of the applicant's proposal, and will be accommodated with what is proposed for the property. The staff believes that granting approval of the requested conditional use is appropriate and should

not negatively affect the subject property or other properties in the general vicinity, and that adequate public facilities, services and utilities are or will be available to serve the community center.

The Staff Recommends: **Approval of the requested conditional use**, for the following reasons:

- a. Granting the requested conditional use should not adversely affect the subject or surrounding properties. The proposed community center, in general, is encouraged by the Comprehensive Plan, and will coincide with and help to facilitate the adopted pillars of the Plan. Traffic from the proposed conditional use, even with the proposed surrounding residential development, should not exceed the carrying capacity of the current road system. Adequate parking will be provided to serve the community center
- b. All necessary public services and facilities are available to and either are or will be adequate to serve the subject property.

This recommendation of approval is made subject to the following conditions:

1. Should the subject property be rezoned to R-3, it shall be developed according to the approved Development Plan, or as further amended by the Planning Commission.
2. All necessary permits, including a Zoning Compliance Permit, Building and Paving permits and a Certificate of Occupancy, shall be obtained from the Divisions of Planning and Building Inspection prior to any construction, and prior to occupancy of the facilities.
3. The associated parking lot and driveway shall be paved, with spaces delineated, and landscaped/screened in accordance with Articles 16 and 18 of the Zoning Ordinance.

HBB/TLW

6/6/2019

PLN-MAR-19-00009 Winterwood CU.doc