



GLPC AGENDA ITEM # 7

MAY 23, 2022

Conditional Use Request by Justin Moore

File #: CU-2022-05

Dr. Justin C. Moore is requesting a Conditional Use Permit (CUP) for two adjacent Personal Care Homes in a Residential Professional (R-P) zoning district. The subject properties total approximately 0.63 acres and are located at 1109 & 1111 North Patterson Street. These are along the east side of the street about 200 feet south of East Ann Street. These properties each contain an existing historic single-family residence and these were each previously used as rental houses. The applicant is a prospective new owner of these properties and is proposing to convert each of them into a "Family" size (6 or fewer residents – each) Personal Care Home for elderly persons. The applicant is proposing 4 residents with 2 staff members in the southerly house (3-bedroom), and 5 residents with 2 staff members in the northerly house (4-bedroom), for a total of 9 residents and 4 staff. There is an existing shared parking lot (9+ spaces) between the houses that will serve both facilities. The applicant is proposing no physical changes to the site nor the outside of the homes – other than the addition of rear ADA access ramps and re-striping of parking spaces. Because these are physically separated buildings, the State is requiring that each facility be licensed independently. Because there would then be two (2) facilities on the same City block, the applicant applied for and received Variance approval from the LDR supplemental standards for Personal Care Homes (allowing no more than one per block), as approved by the Zoning Board of Appeals (ZBOA) on 5-3-2022 (file # APP-2022-06).

The subject properties are located within a **Neighborhood Activity Center (NAC)** Character Area on the Future Development Map of the Comprehensive Plan. These are also located within the City's **local Historic District** as well as the North Patterson **National Register Historic District**.

This is not the typical CUP request for a small-sized Personal Care Home (or in this case, two of them...) in a residential neighborhood. The subject properties are indeed residential in character and have a long history of being used as rental houses. However, they are zoned R-P which means they allow all forms of residential as well as professional offices. They are located along a busy street that is a non-residential corridor whose land uses are dominated by professional offices and light commercial. Therefore, the issues in this particular case are not those of compatibility with the surrounding neighborhood, but rather a compatibility with the existing historic structures and historic theme of the area. The applicant is proposing to respect the historic character of the properties and leave the buildings and site generally "as is" except for the type of building occupancy -- which by the way is less intensive than professional offices or many other uses allowed in R-P zoning. The total occupancy of the site in terms of the number of residents and staff members, is only truly limited by the structures themselves and the number of parking spaces the property can appropriately hold (which is sufficient).

Staff Recommendation: Find consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval to the City Council, subject to the following conditions:

- (1) Approval shall be granted for up to two State-licensed and fully compliant Family Personal Care Homes on the subject properties, with no more than 5 residents in each facility, and no more than 9 total residents in both facilities. No other uses allowed in R-P zoning shall be allowed on the property that are in addition to the Personal Care Homes..
- (2) There shall be no temporary signage, and permanent signs shall be limited to those which are allowed in the Historic District under R-P zoning and in accordance with the Historic District Design Guidelines (LDR Appendix G)..
- (3) Conditional Use approval shall expire after 2 years from the date of approval if no city Business License has been approved for the facility(ies) by that date..