

There being no further discussion, Chairperson Rountree called for a motion. Motion by Commissioner Bailey to recommend denial of the request as presented. Commissioner Willis second. All in favor, no one opposed. Motion carried.

Agenda Item #7

CU-2022-05 Justin Moore (1109 & 1111 North Patterson Street), CUP for two Personal Care Homes in R-P zoning

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