



GLPC AGENDA ITEM # 6

MAY 20, 2024

Conditional Use Request by Roche Kempson File #: CU-2024-04

Ms. Roche Kempson is requesting a Conditional Use Permit (CUP) for an expanded Family size Personal Care Home with 5 residents, in a Single-Family Residential (R-6) zoning district. The subject property is located at 1206 West Magnolia Street, which is along the north side of the street halfway between Scott Drive and Hightower Street. The property contains an existing single-family residence (3 BR, 2 bath) (1,510 sf) which currently houses a 3-person Personal Care Home for disabled adults, that has been operated by the applicant since June 2023. The applicant is now proposing to increase the occupancy of the facility to 5 residents, which triggers the need for CUP approval. The applicant has no plans to increase the physical size of the facility, nor make any physical changes to the site or the building interior.

The subject property is located within an **Established Residential (ER)** Character Area on the Future Development Map of the Comprehensive Plan.

Family sized Personal Care Homes are licensed by the State and they are defined locally as having 6 or fewer residents, in a single-family home setting. The smaller sized facilities with up to 3 residents are a Permitted Use (or a use by right) in all of the City's single-family residential zoning districts, while those with 4-6 residents require CUP approval. The allowable maximum occupancy of a PCH is generally and initially determined by physical size (floor area) of the overall facility, its number and sizes of bedrooms and floor plan design as dictated by State licensing requirements as well as the International Fire Code and Life Safety Codes, etc... However, it is also possible for the City Council to set a more restrictive size limitation based other considerations such as site conditions, overcrowding or over-institutionalizing a given facility or surrounding neighborhood. The whole intent of a "Family" size Personal Care Home, at both the State and local level, is for the facility to generally blend in and operate in the same manner as a regular household unit within the surrounding neighborhood.

In this case, the applicant has already been operating a 3-person Personal Care Home on the property for the past 12 months, and staff is not aware of any complaints or concerns being raised regarding the facility thus far. The subject property is part of a well-established single-family neighborhood, with many of the immediately adjacent houses being owned and managed as rental units by the Valdosta Housing Authority. Therefore, continued operation of the facility while blending-in as a regular household within the neighborhood, should be deemed fully acceptable. However, in this case there have been some concerns raised about the facility itself not being able to safely accommodate more than 4 residents, or perhaps seem over-crowded with its limited floor area (1,510-sf) and limited parking in the driveway (2 cars maximum), or otherwise give an impression of it being more "institutional" rather than "residential" in character. However, given its positive track record so far, and with proper conditions of approval and the installation of a fire sprinkler system etc., staff is supportive of increasing the allowable size of this facility to 4 persons.

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 a Personal Care Home with up to 4 residents, that continues to meet all State and local licensing requirements.
- (2) All parking for the facility shall be on fully paved surfaces as approved by the City Engineer
- (3) Install a fire sprinkler system and alarm monitoring system as approved by both the Fire Marshal and the Building Official
- (4) Conditional Use approval shall expire after 2 years from the date of approval if no amended Business License for the increased size in the facility has been approved by that date.

Planning Analysis & Property Information

Applicant:	Roche Kempson		
Owner:	Roche Kempson & Olivia Dubose		
Request:	Conditional Use Permit for an expanded Personal Care Home in R-6 zoning		
Property General Information			
Size & Location:	One (1) parcel of land comprising 0.19 acres (about 8,600-sf), located along the north side of West Magnolia Street about halfway between Scott Drive and Hightower Street.		
Street Address:	1206 West Magnolia Street		
Tax Parcel ID:	Map 0117C Parcel 055	City Council District:	3 <i>Councilman McIntyre</i>
Zoning & Land Use Patterns			
		Zoning	Land Use
Subject Property:	Existing:	R-6	Personal Care Home (3 residents)
	Proposed:	R-6	Personal Care Home (5 residents)
Adjacent Property:	North:	R-6	Single-family residential neighborhood
	South:	R-6	Single-family residential neighborhood
	East:	R-6	Single-family residential neighborhood
	West:	R-6	Single-family residential neighborhood
Zoning & Land Use History:	This parcel has been zoned R-6 and used as a single-family residence since about 1970. It has been licensed as a Personal Care Home (max. 3 residents) since June 2023.		
Neighborhood Characteristics			
Historic Resources:	No significant historic resources on or near the subject property.		
Natural Resources:	Vegetation:	Urban forest	
	Wetlands:	No existing wetlands on or near the property	
	Flood Hazards:	The property is located well-outside the FEMA designated 100-year floodplain	
	Groundwater Recharge:	No significant recharge areas in the vicinity.	
	Endangered Species:	No known endangered species in the area.	
Public Facilities			
Water & Sewer:	Existing Valdosta water & sewer services along W Magnolia Street (6" water, 8" /sewer)		
Transportation:	West Magnolia Street (Local Street)		
Fire Protection:	Fire Station # 6 (Enterprise Drive) = approximately 1.4 miles to the SW Fire Station # 1 (S Oak Street) = approximately 1.6 miles to the SE The nearest fire hydrant is at the intersection of W Magnolia Street & Scott Drive		

Comprehensive Plan Issues

Character Area: Established Residential

Description: Typically an older neighborhood having relatively well-maintained housing, possessing a distinct identity through architectural styles, lot and street design, and having higher rates of home-ownership. These areas are typically located closer to the core of the community and may be located next to areas facing intense development pressures.

Development Strategy: Focus should be on reinforcing stability by encouraging more homeownership and maintenance or upgrade of existing properties. Vacant properties offer opportunity for infill development of new, architecturally compatible housing. Strong pedestrian and bicycle connections should be provided to enable residents to walk/bike to work, shopping, or other destinations in the area.

Goals and Policies:

GOAL 3: HOUSING – To ensure access to adequate and affordable housing options for all residents in all income levels.

POLICY 3.2 – The existing housing stock shall be proactively protected and maintained, utilizing public-private partnerships when necessary.

Objective 3.2.3 – Protect well established neighborhoods from incompatible uses.

POLICY 3.3 – A mixture of housing types in varying income levels shall be encouraged and actively promoted.

GOAL 7: LAND USE – To ensure the community’s anticipated growth occurs in a well-integrated yet organized fashion, which protects our community resources, promotes efficient use of infrastructure and transportation facilities, and supports quality economic development.

POLICY 7.5 – Available land shall be utilized in the most efficient manner while focusing on redevelopment of land where feasible.

Conditional Use Review Criteria

The following criteria shall be applied in evaluating and deciding any application for a Conditional Use Permit. No application for a Conditional Use Permit shall be granted by the City Council unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application:

(1) Is the proposed use consistent with the requirements of the zoning district in which it is located, including required parking, loading areas, setbacks and transitional buffers?	
<i>Applicant:</i>	Yes it is.
<i>Staff:</i>	Yes, the current development on the subject property complies with all the basic requirements of R-6 zoning.
(2) Is the proposed use compatible with the land uses on adjacent properties, including the size, scale and massing of buildings?	
<i>Applicant:</i>	Yes it is.
<i>Staff:</i>	Yes, the proposed use is compatible with uses on adjacent properties, provided there is an appropriate limitation on its size.
(3) Is the ingress and egress to the subject property, and all proposed buildings, structures and uses thereon adequate? Are the public streets providing access to the subject site adequate to safely handle the traffic generated by the proposed use?	
<i>Applicant:</i>	Yes.
<i>Staff:</i>	Yes, existing ingress and egress to the property is adequate.
(4) How will the proposed use impact other public facilities and services, including stormwater management, schools, parks, sidewalks, and utilities? Are these facilities and services adequate to support the proposed use?	

Applicant: Yes.
Staff: Public facilities are adequate to support the proposed use.
(5) Will the proposed use create adverse impacts on any adjacent or nearby properties by reason of noise, smoke, odor, dust, or vibration or by the character and volume of traffic generated by the proposed use?
Applicant: No.
Staff: No significant adverse impact.
(6) Will the proposed use adversely affect adjoining properties by reason of the manner of use or the hours of operation of the proposed use?
Applicant: No.
Staff: No significant adverse impact.
(7) Will the proposed use create adverse impacts on any environmentally sensitive areas or natural resources (wetlands, floodplain, etc.)?
Applicant: No.
Staff: No adverse impact.

Supplemental Standards of the LDR Applicable to the Proposed Use

LDR Section 218-13 Supplemental Use Standards, (BBB) Personal Care Home, Congregate, Family, or Group.

- (1) The home shall maintain a residential appearance compatible with the neighborhood.
- (2) For Group and Congregate Personal Care Homes the lot shall be at least one acre in size.
- (3) The home shall meet all State requirements and all applicable rules and regulations as specified by the Dept of Human Resources of the State of Georgia in "Rules and Regulations for Personal Care Homes," Chapter 290-5-35.
- (4) To prevent a negative institutional atmosphere created by the concentration or clustering of several community residences, no more than one personal care home shall be located on each block, and no more than two personal care homes shall be located on the same street on opposing sides of the street within the same block.

Development Review Comments

The following comments are provided by the reviewing departments and are only intended to provide the developer with useful information for planning purposes. This list should not be considered all-inclusive as additional items may appear during the plan review process.

Building Inspections: Inspections would only recommend 4 persons at the most. The home is setup for a 3-bedroom. The office cannot be used as a bedroom. It has no emergency escape and rescue opening (window) in case of a fire. The dwelling will need to be sprinkled by code

Fire: The Personal Care Home, which is already existing but is looking to increase their number of residents, will be required to install an automatic sprinkler system and a monitored alarm system"

Engineering: No comments or concerns

Landscape: No comments

Public Works: No comments.

Police: < No comments received >

Utilities: < No comments received >

Attachments:

Zoning Location Map
 Future Development Map
 Aerial Location Map
 Letter of Intent

State PCH License (2023)
 Existing Site Sketch
 Floor Plan
 Dept review emails (2 pages)

CU-2024-04 Zoning Location Map

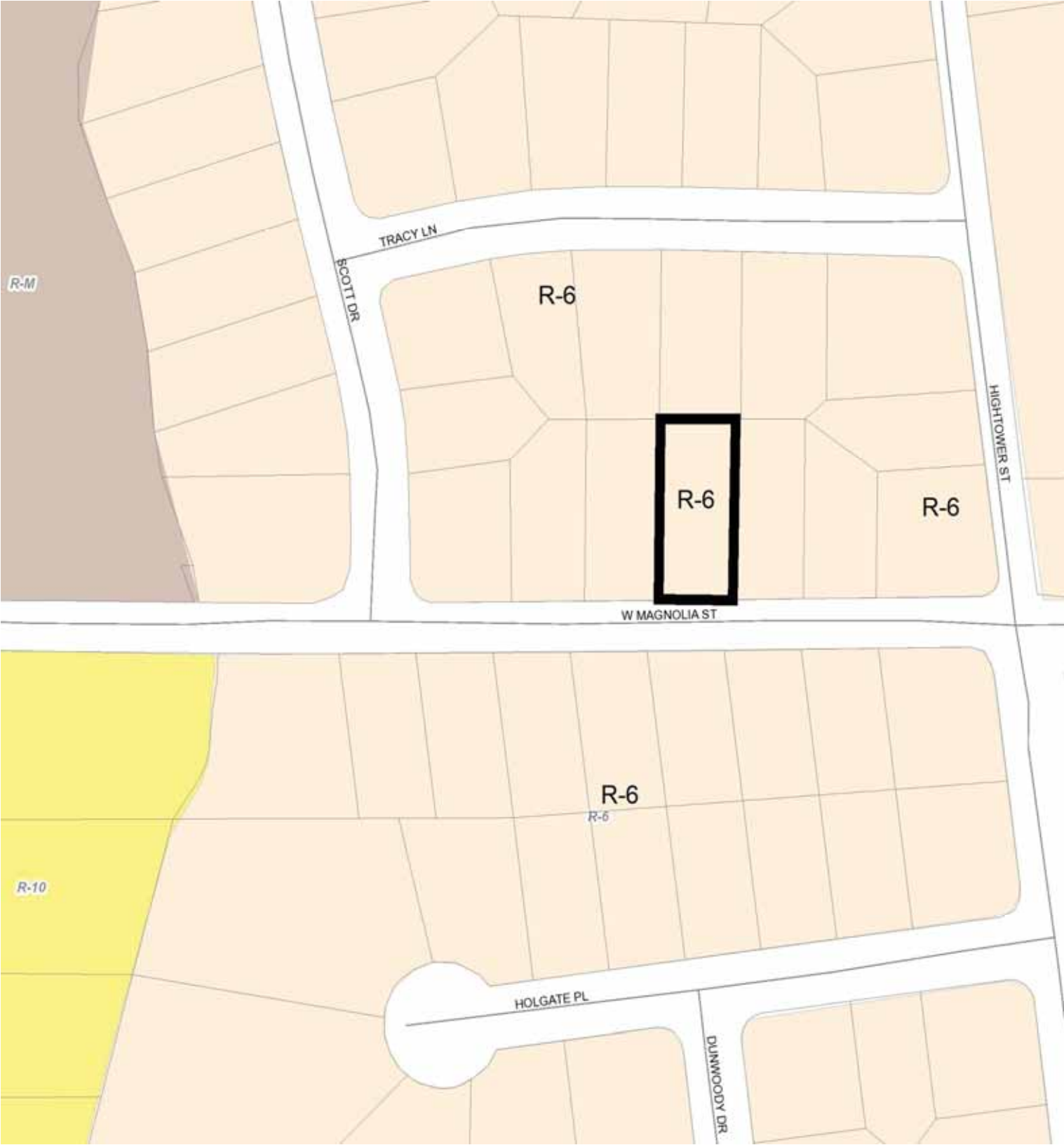


Roche Kempson
CUP Request

1206 West Magnolia Street
Tax Map # 0117C Parcel 055

Current Zoning = R-6

** Map NOT to scale Map Data Source: VALOR GIS May 2024



CU-2024-04 Future Development Map

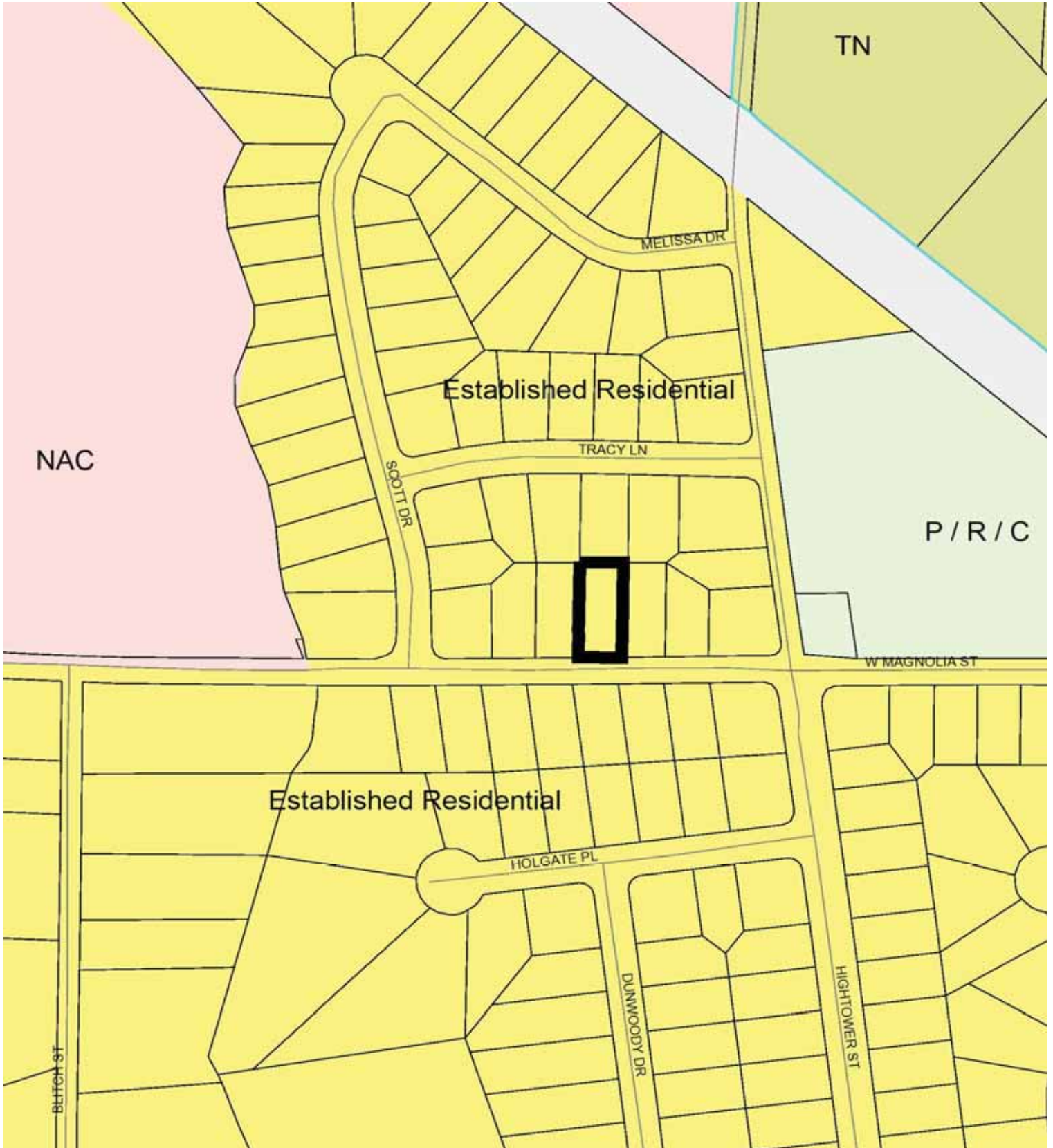


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CUP Request

1206 West Magnolia Street
Tax Map # 0117C Parcel 055

Character Area = Established Residential

** Map NOT to scale Map Data Source: VALOR GIS May 2024



CU-2024-04 Aerial Location Map

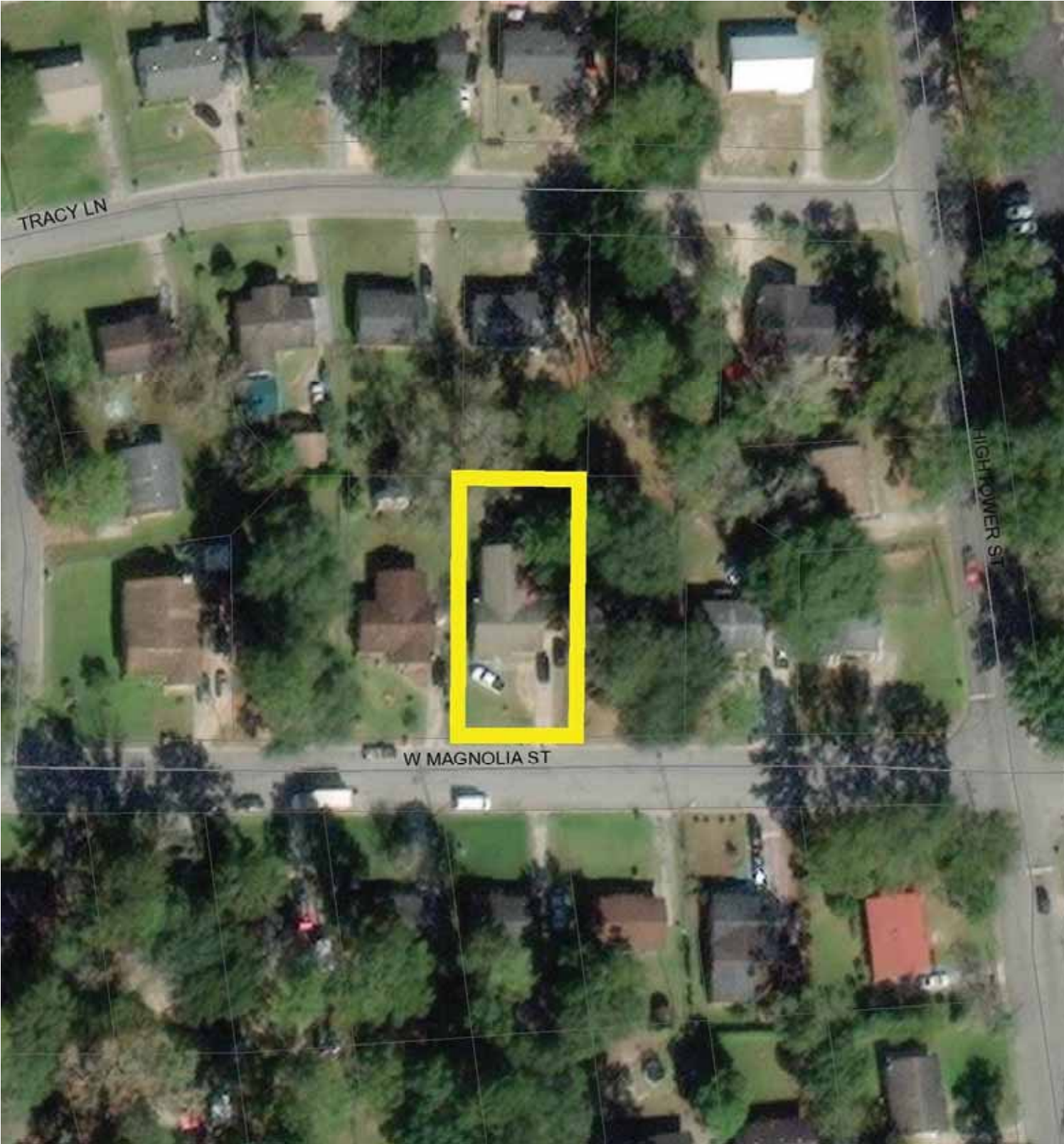


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CUP Request

1206 West Magnolia Street
Tax Map # 0117C Parcel 055

Aerial Imagery ~ 2022

** Map NOT to scale Map Data Source: VALOR GIS May 2024



April 15 2024

To: Valdosta City Council

1206. W Magnolia St is utilized to house disabled adults from ages 21 and up. I also need to be accepted to add two more residents, I currently have ~~five~~ three I have enough space it's safe for five residents nothing is clutter nor will windows be covered.

Rechi Kempton

Letter of Intent

#CU-2024-04



GEORGIA DEPARTMENT OF
COMMUNITY HEALTH

STATE OF GEORGIA
PERSONAL CARE HOME PERMIT

This is to certify that a permit is hereby granted to

ROCHÉ KEMPSON

(Name of Governing Body)

to maintain and operate a Personal Care Home with a capacity of 3 named as AMBITIOUS LIVING STAGES

(Name of Facility)

Said facility and premises are located at 1206 W MAGNOLIA ST

(Street)

in VALDOSTA 31601 County of LOWNDES

(City or Town)

(Zip Code)

, Georgia.

Permit Effective Date: June 20, 2023, and remains in effect unless revoked or suspended.

"This permit is granted pursuant to the authority vested in the Department of Community Health pursuant to O.C.G.A. 31-7-3 and signifies that its facilities and operations comply with the Rules and Regulations of the Department of Community Health on the date this permit was issued."

THIS PERMIT IS NOT TRANSFERABLE

PERMIT NO. PCH012243

In Witness Whereof, we have hereunto set our hand this 23rd day of June, 2023

GEORGIA DEPARTMENT OF COMMUNITY HEALTH

HEALTHCARE FACILITY REGULATION DIVISION

Benjamin Arbise, Executive Director

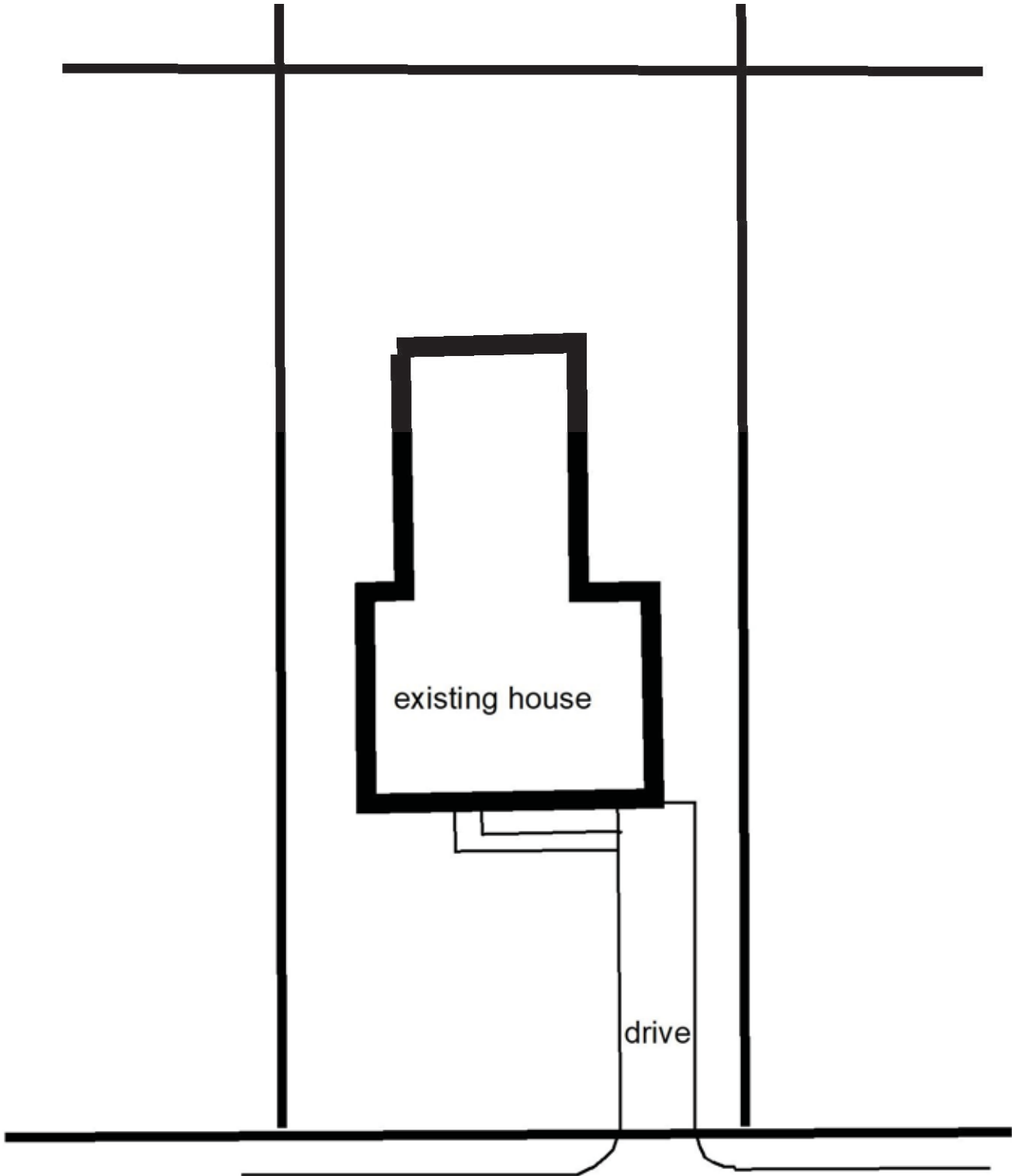
CU-2024-04 Existing Site Sketch



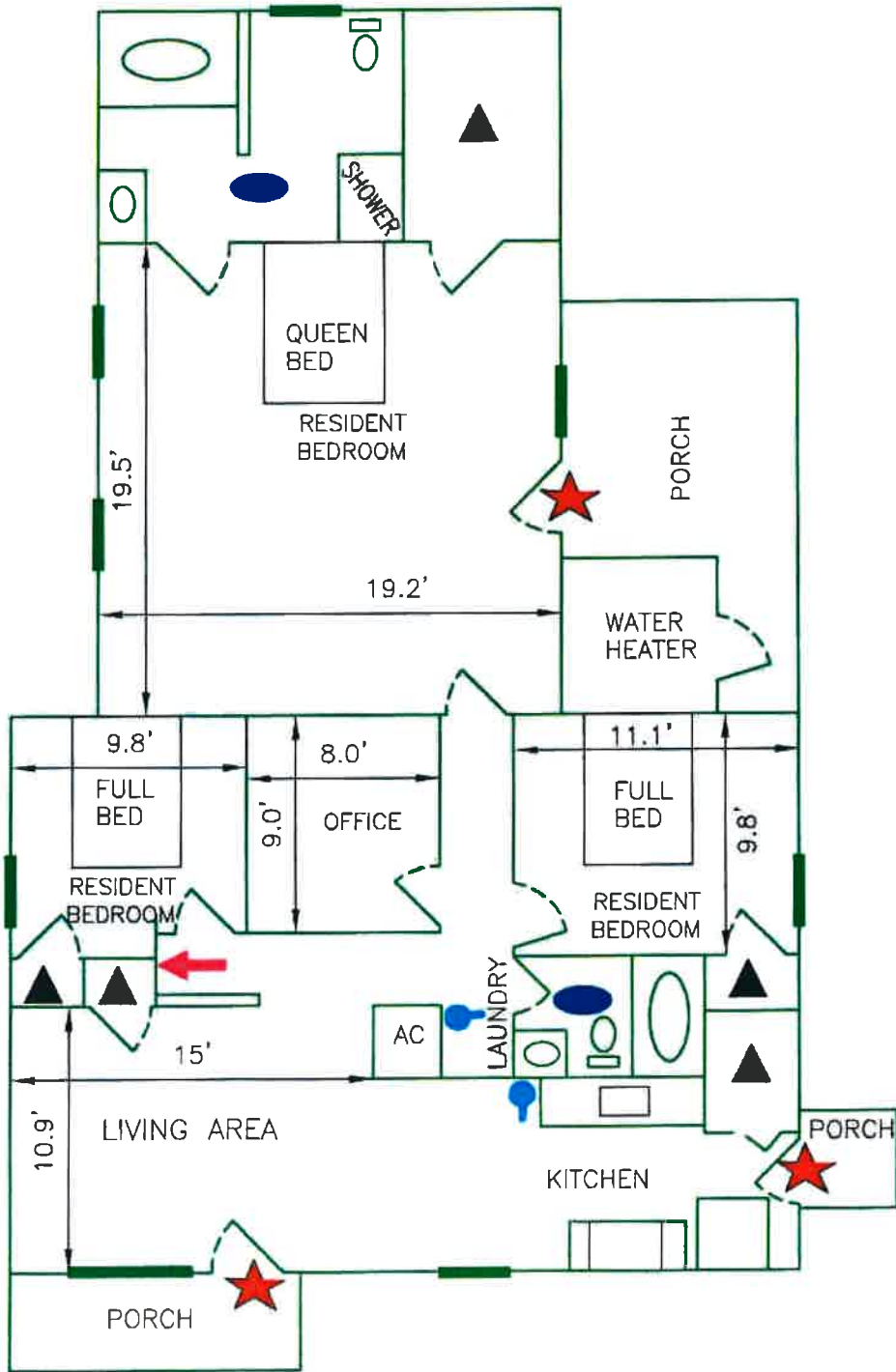
Roche Kempson
CUP Request

1206 West Magnolia Street
Tax Map # 0117C Parcel 055

**



W. Magnolia Street



EBC

- ▲ INDICATES CLOSET
- ★ INDICATES EXIT
- INDICATES FIRE EXTINGUISHER
- ➔ INDICATES BREAKERS
- INDICATES FULL BATHROOM

From: Rick Mefford
Sent: Wednesday, May 08, 2024 10:46 AM
To: Matt Martin
Cc: Kelly Deas; Robert Singletary
Subject: RE: GLPC cases for the month of May

Hey Matt

Inspections would only recommend 4 at the most the home is setup for a 3 bedroom. The office cannot be used as a bedroom it has no emergency escape and rescue opening (window) in case of a fire. The dwelling will need to be sprinkled by code. Thanks

From: Matt Martin <mlmartin@valdostacity.com>
Sent: Wednesday, May 08, 2024 9:59 AM
To: Rick Mefford <rmefford@valdostacity.com>
Subject: FW: GLPC cases for the month of May

From: Matt Martin
Sent: Thursday, May 02, 2024 7:58 AM
To: Lauren Hurley <lhurley@valdostacity.com>; Margaret Torres <mtorres@valdostacity.com>; Benjamin O'Dowd <bodowd@valdostacity.com>; Charles Clark <chclark@valdostacity.com>; Cindy Randall <crandall@valdostacity.com>; Charles Nevlous <cnevlous@valdostacity.com>; Jason Barnes <jbarnes@valdostacity.com>; James Allen Clinkscales <jclinkscales@valdostacity.com>; J.D. Willis <jdwillis@valdostacity.com>; Leslie Manahan <lmanahan@valdostacity.com>; Rick Mefford <rmefford@valdostacity.com>; Stephanie Blanton <sblanton@valdostacity.com>; Kevin Jenkins <kjenkins@valdostacity.com>; Larry Ogden <logden@valdostacity.com>; mrivera@sgrc.us; kyle.coppage@dph.ga.gov
Cc: Richard Hardy <rhardy@valdostacity.com>; Catherine Ammons <cammons@valdostacity.com>
Subject: GLPC cases for the month of May

ALL:

Attached for your review and comment is the monthly Case Memo and accompanying review packet for this month's GLPC cases. I would appreciate receiving your comments (even if it's "no comment") by no later than Tuesday, May 7, 2024.

Matt Martin, AICP

*Planning Director
City of Valdosta
PO Box 1125 Valdosta, GA 31603
Phone: (229) 259-3529*

From: James Allen Clinkscales
Sent: Wednesday, May 08, 2024 9:29 AM
To: Matt Martin
Cc: Rick Mefford
Subject: Re: GLPC cases for the month of May 2024

Actually the code amendments require them to have sprinkler system, with the addition of residents. There has been changes in may different occupancies. The old code for personal care homes was four or more the sprinkler system would be required, but now with any personal care home or additions it would require a system.

From: Matt Martin <mlmartin@valdostacity.com>
Sent: Tuesday, May 7, 2024 2:15 PM
To: James Allen Clinkscales <jclinkscales@valdostacity.com>
Cc: Rick Mefford <rmefford@valdostacity.com>
Subject: RE: GLPC cases for the month of May 2024

Her floor plan is showing a 3-bedroom, 2-bath house, with one of the bedrooms being much larger than the other two (see attached). She is currently operating with 3 residents, and wants to expand to "5".

(1) Does the requirement for automated sprinklers and monitored alarm, trigger with the 4th resident, or the 5th resident ?? (or is it already triggered at 3 residents ?)

(2) Are the depicted 3 bedrooms and overall design/size of the facility enough total space and design to accommodate 5 residents for a Personal Care Home ?? My guess is that she is proposing to put 3 residents in the large bedroom and use it like a dormitory space....

From: James Allen Clinkscales <jclinkscales@valdostacity.com>
Sent: Tuesday, May 07, 2024 1:52 PM
To: Matt Martin <mlmartin@valdostacity.com>; Lauren Hurley <lhurley@valdostacity.com>
Subject: Re: GLPC cases for the month of May 2024

Summary of GLPC Case review packets, May 2024

CU-2024-04 Roche Kempson: 1206 W. Magnolia Street

The Personal Care Home which is already in existing, but is look to increase there number of residents will be required to install an automatic sprinkler system , a monitored alarm system.

APP-2024-07 CL Arrendale Investments, LLC : 403 Barfield Drive

The Fire Department does not have a comment on the zoning variance for the property located at 403 Barfield Drive .