



Legislation Text

File #: 17-253, Version: 1

TO: Mayor and Members of City Council

THRU: Kristoff Bauer, ICMA - CM, Deputy City Manager

FROM: Craig M. Harmon, AICP, CZO - Senior Planner

DATE: June 26, 2017

RE:
P17-15F The issuing of a Special Use Permit to allow an Assisted Living Family Care Home in an SF-6 - Single Family Residential Zoning District, located at 1907 Harris Street near the intersection of Harris & Hood roads being the property of Chaudette Adkins.

COUNCIL DISTRICT(S):
4

Relationship To Strategic Plan:
Growth and Development

Executive Summary:
The applicant would like to open an assisted living facility which will provide 24 hour personal care to two to six residents.

Background:
The property in question is a former group home that now sits vacant. This assisted living facility would provide care to persons who have cognitive impairments. These impairments may jeopardize their safety and wellbeing. The home will have four staff members. That number includes two CNA's.

Owner: Chaudette Adkins
Applicant: Sherryl Turner, Michael Carroll
Requested Action: SUP Assisted Living in SF-6 district
Property Address: 1907 Harris Street
Council District: 4
Status of Property: Vacant House
Size: 0.17 acres +/-
Adjoining Land Use & Zoning:
North - LC/CZ - Family Dollar
South - SF-6 Single Family

West - SF-6 Single Family

East - SF-6 Single Family

Letters Mailed: 102

Land Use Plan: Medium Density Residential

Strategic Plan:

Goals 2020: The City of Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all residents.

Additional Reviews:

Technical Review Committee (TRC) - A preliminary review was conducted on this site. The TRC had no comments since this is an existing residential unit.

Issues/Analysis:

The house will operate 24 hours a day, seven days a week. The facility will be maintained as a home and will retain the character and integrity of the neighborhood. All service delivery will be done inside the home, in a normal residential manner. Parking for up to five vehicles is available on the site. None of the residents will come with vehicles; parking will be for the staff and visitors only. Additional on-street parking is available.

The City's staff does have concerns regarding the number of bedrooms when six persons with disabilities will live in the home. Visitors to the facility and outdoor activities for the residents have not been addressed in the application.

Conditions of Approval:

1. No more than 6 residents at any one time.
2. Maintain the character of the neighborhood.

On June 13th the Zoning Commission held a public hearing regarding this case. There was one speaker in favor and one that was concerned that her tax bill may rise if this use were approved. The commission voted 5-0 to recommend approval.

The Zoning Commission and City staff recommend APPROVAL of a SUP based on:

1. The facility will have 24 hour onsite caregivers.
2. The facility will be maintained as a home and will not interfere with the character of the neighborhood.
3. The applicant will limit the number of residents to no more than six.
4. The City's Land Use Plan calls for medium density residential..

Budget Impact:

This action would result in an increase in City services which would be offset by the increased tax revenue collected for this proposed project.

Options:

- 1) Approval of the SUP for assisted living with conditions as listed above. (Recommended)
- 2) Approval of the SUP for assisted living with additional conditions.
- 3) Denial of the SUP.

Recommended Action:

PROPOSED MOTION

I move to APPROVE / DISAPPROVE the Special Use Permit (SUP) to locate an assisted living facility in an SF-6 District, located at 1907 Harris Street, as presented by staff, with two (2) conditions listed above, based on the standards of the City's development. And that the application is inconsistent / consistent with applicable plans because: (1) the development is/is not located in a single family zoning district and (2) that this use complies/does not comply with the findings listed below and (3) the proposed permit is/is not in the public interest because the proposed SUP does/does not fit with the character of the area.

[Applicable to Motion to Approve] This Special Use Permit shall become effective ten days after its approval by the City Council. Unless specified otherwise by the City Council, the SUP shall expire one year from its effective date of July 6, 2017, if a building permit is not issued within that time.

*For a motion to approve, all eight findings below must be met. For a motion to deny only one of the findings shown below needs to fail.

- (1) The special use will comply with all applicable standards in Section 30-4.C, Use-Specific Standards; [insert supporting facts]
- (2) The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands; [insert supporting facts]
- (3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration; [insert supporting facts]
- (4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands; [insert supporting facts]
- (5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources; [insert supporting facts]
- (6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site; [insert supporting facts]
- (7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; [insert supporting facts]
- (8) The special use complies with all other relevant City, State, and Federal laws and regulations. [insert supporting facts]

Attachments:

Zoning Map
Current Land Use Map
Land Use Plan Map
Application
Site Photos