

BYWATER DEVELOPMENT GROUP, LLC

**PROPOSED REDEVELOPMENT OF JACOB SCHOOL
3670 WHEELER AVENUE
CHANGE IN ZONING FROM R-5 TO R-7
And RELATED WAIVERS
CASE NO. 14 ZONE 1031**

PROPOSED FINDINGS OF FACT

WHEREAS, the proposal includes a new parking area and new open space; because the property is in the Traditional Neighborhood Form District, certain site design requirements apply, including the private yard and accessory structure area concepts; Section 5.4.1 governs residential site design and prohibits parking in the private yard area and parking access in the accessory structure area; and

WHEREAS, the applicant is seeking to waive these two site design requirements in order to allow for the parking to be located close to the existing building and the yard and buffer area to be located nearest the residents on Craig Avenue; and

WHEREAS, the requested waivers will not adversely affect any adjacent property owners because the subject property was used as a school before closing several years ago; because the area of the property now at issue is largely paved, so parking in that area will not create any adverse impact on adjoining property owners; because having the parking close to the building is essential for many of the likely residents, seniors that are more likely to be handicapped or need mobility assistance; and because flipping the yard and parking area will also provide an attractive buffer to the homes across Craig Avenue; and

WHEREAS, the requested waivers will not violate the Cornerstone 2020 Comprehensive Plan because the site design standards contemplate several structures facing a street with alley access; because, in the present case, the alley that crosses the property has never been built and is covered partially with the school building therefore, the site design standards cannot be met, and because the applicant has designed access to the parking area to match the alley to the north and south of the subject property to provide for safe traffic movement in the area; and

WHEREAS, the extent of the waivers is the minimum necessary to afford relief to the applicant because the planned population requires placing the parking close to the building and because this will allow for a better functioning site and an attractive buffer between the parking area and the residences on Craig Avenue; and

WHEREAS, the strict application of the site design standards would deprive the applicant of the reasonable use of the subject property because the Jacob School has been vacant for many years and has become a detriment to the surrounding neighborhood; because the applicant will completely renovate the school into senior apartments; because the site design standards were not written for the redevelopment of an entire city block as is being undertaken here, and because the applicant should be granted the requested waivers and allowed to develop the subject property as proposed.

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