

# Board of Zoning Adjustment

## Staff Report

April 15, 2019



<b>Case No:</b>	18CUP1121
<b>Project Name:</b>	Additions
<b>Location:</b>	8507 Westport Road
<b>Owner/Applicant :</b>	Portland Christian School System, Inc.by Dan Wilson
<b>Representative:</b>	Mark Madison, Milestone Design Group, Inc.
<b>Jurisdiction:</b>	City of Plantation
<b>Council District:</b>	# 7 – Paula McCraney
<b>Case Manager:</b>	Steve Hendrix, Planning & Design Coordinator

### **REQUEST:**

Conditional Use Permit to allow a Private Institutional Use in a Single Family Zoning District, Land Development Code 4.2.65.

### **CASE SUMMARY/BACKGROUND**

The 8.80 acre site is located on the north side of Westport Road between the SpringHouse apartments and The Louisville Indoor Racquet Club. The proposal includes a 2,176 square foot addition to the existing gymnasium which is approximately 700 feet from Westport Road and partially screened by existing campus buildings. The 1,504 square foot temporary classroom will be more than 600 feet from Westport Road and screened from that by an existing classroom building,

### **STAFF FINDING / RECOMMENDATION**

There are 5 listed requirements and all have been met.

The proposal meets the requirements of the Land Development Code and guidelines of the Comprehensive Plan

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the Land Development Code for a Conditional Use Permit to allow a Private Institutional Use in a Single Family Zoning District.

### **RELATED CASES**

**17Cell1001**, replacement of an existing cell tower.

## **TECHNICAL REVIEW**

None

## **INTERESTED PARTY COMMENTS**

A neighborhood meeting was held on November 13, 2018.

No invitees attended.

## **STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT**

### **1. Is the proposal consistent with applicable policies of the Comprehensive Plan?**

STAFF: The proposal is consistent with the applicable policies of the Comprehensive Plan.

### **2. Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?**

STAFF: The proposal is compatible with the surrounding land uses and the general character of the area, since one proposal is an addition to the existing gymnasium and the other is a temporary classroom.

### **3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?**

STAFF: Transportation Planning and MSD have given preliminary approval.

### **4. Does the proposal comply with the following specific standards required to obtain the conditional use permit requested?**

Private institutional uses, except for such uses specifically regulated elsewhere in this LDC, may be allowed in the R-R, R-E, R-1, R-2, R-3, R-4, R-5, and U-N zoning districts upon the granting of a Conditional Use Permit and compliance with the listed requirements:

A. Except in the R-R zoning district, all structures, except fencing, and all off-street parking shall be at least 30 feet from any property line adjacent to an existing residential use or residential zoning district. In the R-R zoning district all structures, except fencing, shall be at least 150 feet from any property line and all off-street parking shall be at least 30 feet from any property line. Requirement has been met.

B. The applicant must demonstrate that the impact of the traffic generated by the use can be mitigated.

Additions are minimal to the existing school campus.

C. Off-street parking not located within a driveway shall be located to the side or rear of the building(s). The number of required off-street parking spaces shall be determined by the Planning Director in consultation with the Director of Public Works based on the standards for the closest comparable use and on the particular parking demand and trip generation characteristics of the proposed use.

Existing parking will not be affected.

D. All activities shall be in compliance with the Metro Noise Ordinance (LMCO Chapter 99).  
The applicant has been made aware of the requirement.

E. The Board of Zoning Adjustment may set hours of operation for the institutional use in order to minimize potential negative impacts on surrounding residential properties.  
Staff has not received any comments regarding the need to address hours of operation.

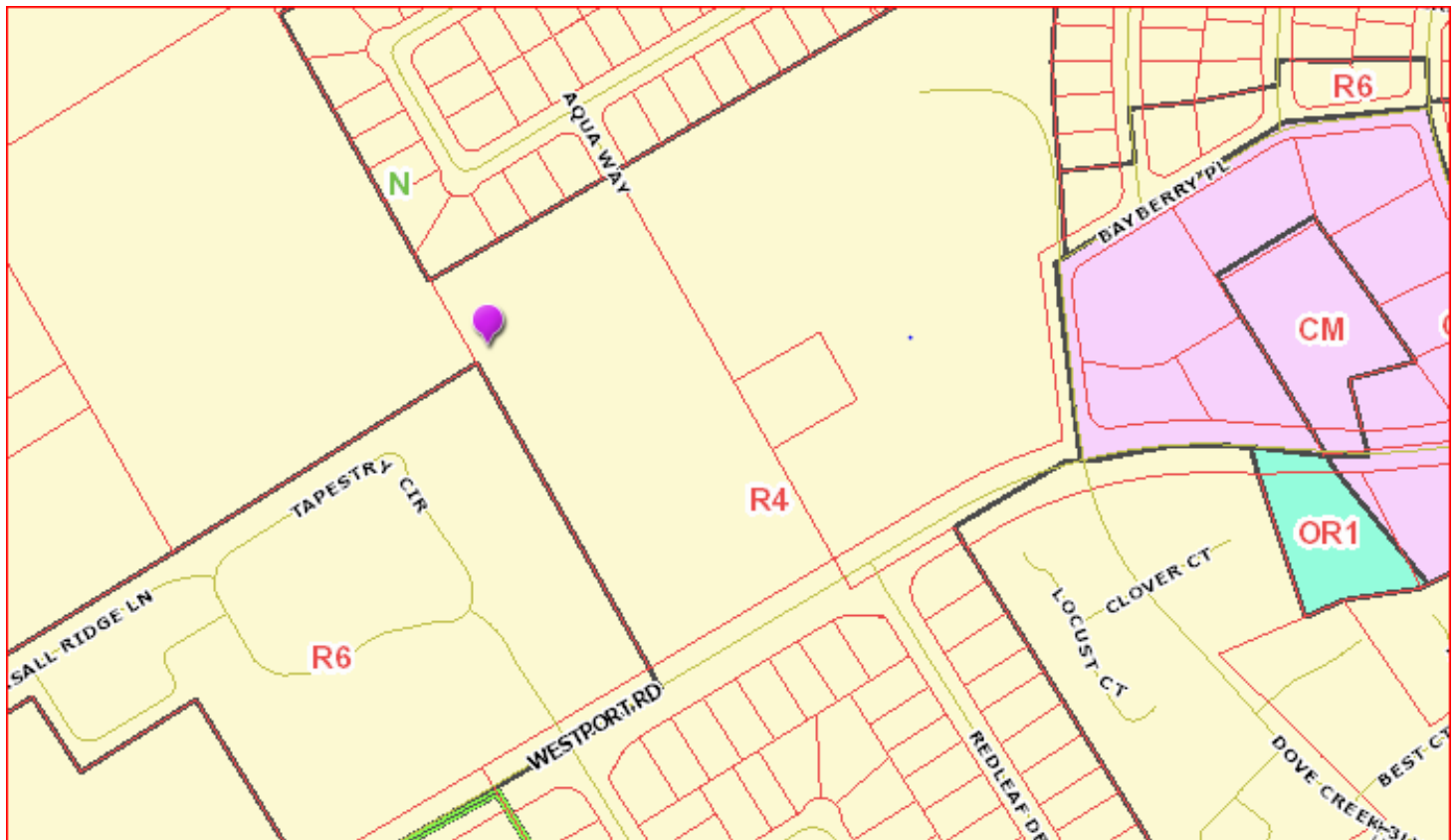
### **NOTIFICATION**

Date	Purpose of Notice	Recipients
03/28/2019	Hearing before BOZA	1 <sup>st</sup> and 2 <sup>nd</sup> tier adjoining property owners
03/28/2019		Registered Neighborhood Groups in Council District 7
04/04/2019	Hearing before BOZA	Sign Posting

### **ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Comprehensive Plan
5. Explanation Letter
6. Neighborhood Meeting
7. Conditions of Approval

## Zoning Map



## Aerial Map





## PLAN 2040 CHECKLIST

- + Meets policy  
 - Does not meet policy  
 +/- Meets/does not meet some portion of policy  
 NA Not applicable  
 INS Additional information needed

Policy	Plan Element or Portion of Plan Element	Staff Finding	Comments
Community Form: Goal 1			
2.1	Evaluate the appropriateness of a land development proposal in the context of: 2.1.1. the description, character and function of the Form District designated for the area in which the subject site is located; 2.1.2. the intensity and density of the proposed land use or mixture of land uses; 2.1.3. the effect of the proposed development on the movement of people and goods; and 2.1.4. the compatibility of the proposed use or uses with surrounding uses including the relationship of the use, mass, scale, height, materials, building footprint, orientation, setback and design of the proposed building or buildings with that of surrounding buildings.	+	Temporary classroom and gymnasium addition
2.4	Plans, studies and strategies legislatively developed subsequent to the adoption of Plan 2040 supplement and represent the specific application of Plan 2040 goals, objectives and policies. Specific recommendations found in plans and strategies adopted after Plan 2040 are intended to take precedence over more general guidelines of the Comprehensive Plan.	NA	
2.5	Plans, studies and strategies adopted subsequent to Cornerstone 2020 but prior to Plan 2040 may continue to represent specific application of Plan 2040. The Planning Director or their designee shall make a formal determination in cases where the plan has not been re-adopted by the affected legislative body.	NA	
2.6	Plans, studies and strategies adopted prior to the adoption of Cornerstone 2020 shall not be used as official policy until such plans are updated and re-adopted. However, such plans, studies and strategies may be used for planning evidence if no update has been completed or adopted.	NA	
3.1.1	Downtown (1.3.1.1, page 40)		
3.1.2	Traditional Neighborhood (1.3.1.2, page 40-41)		
3.1.3	Neighborhood (1.3.1.3, page 41)	+	Existing School with minor additions
3.1.4	Village (1.3.1.4, page 41-42)		
3.1.5	Town Center (1.3.1.5, page 42)		
3.1.6	Regional Centers (1.3.1.6, page 42-43)		
3.1.7	Traditional Marketplace Corridor (1.3.1.7, page 43)		
3.1.8	Suburban Marketplace Corridors (1.3.1.8, page 43-44)		
3.1.9	Traditional Workplace (1.3.1.9, page 44)		
3.1.10	Suburban Workplace (1.3.1.10, page 44)		
3.1.11	Campus (1.3.1.11, page 44)		
3.1.12	Urban Center Neighborhood (1.3.1.10, page 44-45)		
3.1.13	Conservation (3.1.13, page 45)		
4.	Ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.	+	Approximately 3,680 square foot additions; 2,176 square feet for gym, 1,504 square feet classroom



## **Conditional Use Permit Application Letter of Explanation**

Portland Christian School is proposing to install a temporary classroom building and expand the existing gymnasium.

The one story temporary classroom building is planned to be located between the existing classroom building at the rear of the property, the main school building, and the eastern property line which is common with the Plantation Tennis Club.

The gymnasium expansion is planned to be constructed on the West side of the existing gymnasium building.

The location the proposed gymnasium expansion is in a grassy area that only has some fencing and three air conditioning units. This expansion will have a minimal impact on surrounding properties.

The proposed location of the temporary classroom building is also within grassy area.

The proposed structures will not require any modification of the existing parking or maneuvering, nor will the expansion necessitate the addition of more parking.

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## Summary of Neighborhood Meeting

The meeting was held November 13, 2018 on the subject site at 6:00 pm.

Mark Madison – representing the applicant was in attendance

Dan Wilson – representing Portland Christian School was in attendance

No one else attended the meeting.

Mr. Madison and Mr. Wilson remained until 6:40.

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### **Conditions of Approval**

1. The site shall be developed in strict compliance with the approved development plan (including all notes thereon). No further development shall occur on the site without prior review and approval by the Board.
2. The Conditional Use Permit shall be "exercised" as described in KRS 100.237 within two years of the Board's vote on this case. If the Conditional Use Permit is not so exercised, the proposal shall not be used for a private institutional use in a single family residential zoning district without further review and approval by the Board.