

Memorandum

To: Planning Commission Members
From: The Development Department
CC: Honorable Members of City Council, Clerk of Council, City Departments
Date: July 23, 2010
Re: Staff Report for Love Chiropractic Care – Development Plan

Item #2 – Love Chiropractic Care, Inc – Development Plan (PID# 201004200018)

Application: Development Plan
Location: Lot 9, Jen Arl Estates, Hoover Rd
Applicant: Thomas W. Coffey, Thomas W. Coffey Architecture & Design, LLC
Zoning: PSO
Use: Office of Chiropractor

Relevant Code Section(s):

- 1135.12 Zoning Districts and Regulations – Non-Residential District Requirements

Project Summary:

The applicant is proposing to construct a 3,000 square foot medical office building to be located north of Southwest Boulevard, east of Hoover Road. This project was previously heard by Planning Commission on February 24, 2009 (Southwest Chiropractic) and approved by City Council on March 16, 2009. Construction activity did not commence within the effective twelve-month period of the Development Plan nullifying their approval. Additionally, the applicant has proposed building and site revisions and therefore has submitted a new Development Plan application for consideration. The proposed project involves variances granted by the Board of Zoning Appeals in 1998 and 2009. On October 26, 1998, the BZA approved a variance that established building setbacks of 14' to the north and a south setback of 6,' with no parking or driveway to be within the north setback area. An additional variance was granted by the BZA on July 27, 2009, after being tabled from the March 23rd meeting, to eliminate the parking setback on the south side of the property to construct a parking lot that extends beyond the lot line into the adjacent parcel to the south. Applicable pages of the BZA minutes from these meetings have been included.

Additionally, an easement agreement was obtained in 2001 with the property owner to the south (The Village of Hunters Crossing Condominium Association) to allow for the proposed improvements. A copy of this agreement is enclosed. Stated in the agreement is that the easement grantee shall be permitted to make improvements such that they do not obstruct the free flow of water through the drainage ditch of the Grantor. The agreement further states that if an office building is constructed on the property to be developed, a fence of at least six (6)

feet in height shall be installed along the east boundary line. The applicant is proposing to install a six (6) foot tall wood fence, painted and stained to match the fence of the adjacent condominium association, along the north, east and portions of the south property line.

Site Plan:

The site is 0.459 acres and is accessed by a single curb cut on to Hoover Road. The entry and parking areas are located to the south of the structure and not within the north setback area, in accordance with the variance granted by the BZA in October of 1998. The building is set back sixteen (16) feet from the north property line, within the fourteen (14) foot north setback approved by the BZA. All other building setbacks have been met.

Parking:

The proposed plans show the parking area to include 14 spaces dimensioned at 10'x18', six (6) spaces below the twenty (20) spaces required by Chapter 1135. Staff would be supportive of the proposed deviation from the required parking spaces due to the scale of the proposed office use and its adjacency to a residential area. The proposed parking lot encroaches the property to the south by 10.7 feet; however the applicant obtained a variance in 2009 permitting the proposed parking lot to extend onto the adjacent property to the south.

Building:

The proposal includes the construction of a 3,000 square foot facility with a maximum height of 16'4" above grade. The structure will incorporate the use of a hipped roof with dimensional shingles to match the character of the surrounding residential structures. Exterior walls will be finished in beige EIFS and a stone veneer.

Lighting:

The applicant is proposing to install four decorative lighting fixtures (Hadco CF5) finished black. These are the same fixtures used by Kroger on the northeast corner of Hoover and Stringtown Road. The maximum pole height is to be 20 feet above grade. The proposed lighting meets minimum Code requirements for vehicular and pedestrian area illumination levels.

Recommendation(s):

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Development Plan as submitted.