



## Legislation Details (With Text)

**File #:** ORD. 2014-193-175      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 9/8/2014      **In control:** City Council

**On agenda:** 10/13/2014      **Final action:** 10/13/2014

**Title:** To amend and reordain Ord. No. 88-249-225, adopted Oct. 10, 1988, as previously amended by Ord. No. 91-283-92-1, adopted Jan. 13, 1992, which authorized the special use of the property known as Highland Park School, containing 2.61 acres, more or less, located on the southwest corner of Brookland Park Boulevard and Second Avenue, for an apartment building for the elderly (persons 60 years of age and older), for the purpose of reducing the residency age requirement for at least 80 percent of the occupied units to persons 55 years of age and older.

**Sponsors:** Mayor Jones (By Request)

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. Ord. No. 2014-193-175, 2. Staff Report, 3. Application & Applicant's Report, 4. Location Map

Date	Ver.	Action By	Action	Result
10/13/2014	1	City Council	adopted	Pass
10/6/2014	1	Planning Commission	recommended for approval	
9/8/2014	1	City Council	introduced and referred	

To amend and reordain Ord. No. 88-249-225, adopted Oct. 10, 1988, as previously amended by Ord. No. 91-283-92-1, adopted Jan. 13, 1992, which authorized the special use of the property known as Highland Park School, containing 2.61 acres, more or less, located on the southwest corner of Brookland Park Boulevard and Second Avenue, for an apartment building for the elderly (persons 60 years of age and older), for the purpose of reducing the residency age requirement for at least 80 percent of the occupied units to persons 55 years of age and older.

### O & R Request

**DATE:** August 12, 2014      **EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** Dwight Jones, Mayor (Patron: Mayor Jones, By request)  
(This in no way reflects a recommendation on behalf of the Mayor.)

**THROUGH:** Byron Marshall, Chief Administrative Officer

**THROUGH:** Peter H. Chapman, Deputy Chief Administrative Officer for Economic Development and Planning

**FROM:** Mark A. Olinger, Director, Department of Planning and Development Review

**SUBJECT:** Special use permit amendment for the property known as Highland Park School, containing 2.61 acres, more or less, located on the southwest corner of Brookland Park Boulevard and Second Avenue to reduce the residency age requirement for at least 80 percent of the occupied units to persons 55 years of age and older.

**ORD. OR RES. No.** \_\_\_\_\_

**PURPOSE:** To amend and reordain Ordinance No. 91-283-92-1, which amended Ordinance No. 88-249-225, which authorized the use of the real estate, property known as Highland Park School, containing 2.61 acres, more or less, located on the southwest corner of Brookland Park Boulevard and Second Avenue, for an apartment building for the elderly (persons 60 years of age and older), to reduce the residency age requirement for at least 80 percent of the occupied units to persons 55 years of age and older.

**REASON:** The applicant has requested a text-only amendment to a previously approved special use permit (SUP). The SUP, adopted by City Council in 1988, authorized the use of the former Highland Park School for apartments for persons 60 years of age and older. The applicant is requesting to reduce the residency age requirement to persons 55 years of age and older for at least 80 percent of the occupied units.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its October 6, 2014 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property is located at the intersection of East Brookland Park Boulevard, Meadowbridge Road, Dill Avenue, and 2<sup>nd</sup> Avenue. The property contains approximately 2.61 acres of land in area and is the site of the former Highland Park School. The current use of the property was authorized by Special Use Permit in 1988. The zoning then (and today) for this property is R-5, Single-Family Residential. Schools, owned or operated by a governmental agency and primarily intended to serve residents of adjoining neighborhoods, are a permitted principal use in this district. However, this zoning district does not allow multi-family residential as a permitted principal use. For this reason, the applicant, in 1988, had to apply for a Special Use Permit to allow for the conversion of the school to provide 77 apartments for persons 60 years of age and older.

The applicant wishes to decrease the residency age requirement in order to attract more residents. Therefore, the applicant wishes to amend the text of the Special Use Permit to allow for a reduction in the residency age requirement to persons 55 years of age and older in at least 80 percent of the occupied units.

The subject property is immediately surrounded by a variety of uses including restaurants, a bank, residential, vacant parcels, and churches. The Master Plan designation for the subject property and much of the immediately surrounding area to the south and west is Single-Family (low density). A large area of Master Plan designated Neighborhood Commercial is located adjacent to the subject property at the previously described intersection.

**FISCAL IMPACT/COST:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years. Costs to the City include staff time for processing the request; preparation of the draft ordinance; and publishing, and mailing of public notices.

**FISCAL IMPLICATIONS:** The Department of Planning and Development Review does not anticipate any fiscal implications for this project.

**BUDGET AMENDMENT NECESSARY:** A budget amendment is not necessary.

**REVENUE TO CITY:** No application fee is necessary for a text-only amendment.

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** September 8, 2014

**CITY COUNCIL PUBLIC HEARING DATE:** October 13, 2014

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, October 6, 2014.

**AFFECTED AGENCIES:** Office of the Chief Administrative Officer  
Law Department (for review of draft ordinance)  
City Assessor (for preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Text amendment to Ordinance No. 91-283-92-1, which amended Ordinance No. 88-249-225

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Application Form, Applicant's Report, and Draft Ordinance

**STAFF:** Willy Thompson, Senior Planner  
Land Use Administration (Room 511)  
646-5734

*DCD O&R No. 14-27*