

I. SUMMARY OF REQUEST

The applicant is requesting approval of a Long-Term Temporary Use Permit to allow for the parking of vehicles on a property that is zoned Mixed-Use Neighborhood Suburban (M-N-S). The purpose is to provide additional parking for patrons who are visiting the Abrusci's restaurant, located immediately north, while a permanent solution is developed.

A Short-Term Temporary Use as approved in 2017 and the short term use has expired. The site is currently used for parking and the applicant is aware that if the Long Term Temporary Use is not approved, the site can no longer be used for vehicular parking.

The subject property is approximately 1.7 acres in area and the land is vacant. The applicant has already improved the property with an all-weather gravel surface and additional improvements are necessary as identified in the conditions of approval.

II. PROCESS

As described in Section 17.4.3.BB (page 4-26) of the Lakewood Zoning Ordinance, a Long-Term Temporary Use (LTTU) permit may be approved by the Lakewood Planning Commission subject to the special use process described in Article 2.

Approval of the LTTU by the Planning Commission will authorize the parking of vehicles on-site at 2100 Youngfield Street for a period of two years and the Planning Director may authorize an extension of up to six additional months. At the end of that time, a permanent solution must in place or the vehicles must be moved off-site or the property owner may apply for an additional LTTU.

The applicant has followed the special use procedures as specified in Article 2 of the Lakewood Zoning Ordinance and these procedures include the submittal of a preplanning application, holding a neighborhood meeting, submitting a formal application and requesting a public hearing before the Planning Commission.

There are supplemental standards specific to LTTU's listed in Article 4, Section 17.4.3.1.BB of the Zoning Ordinance. The supplemental standards are summarized as follows:

1. The Director may recommend approval for two years and may approve one extension for up to 6 months.
2. Parking for the LTTU shall be determined by the Director to be consistent with other similar uses as identified in Article 8 (Parking & Loading Standards).
3. The LTTU shall be subject to the special use process.

The applicant has addressed the supplemental standards and the Conceptual Land Use Plan (Attachment A) shows the basic layout of the parking as well as recommended conditions of approval. No additional site plan will be required unless the applicant proposes changes to the site and if approved, this LTTU will expire on March 20, 2021.

III. ZONING AND LAND USE

	North	South	West	East
Adjacent Zoning Designation	Mixed-Use Neighborhood Suburban (M-N-S)	Mixed-Use Neighborhood Suburban (M-N-S) & Two Family Residential (R-2)	Residential-One A (R-1-A) in Jefferson County	Large Lot Residential (R-1-12)
Adjacent Land Uses	Restaurant	Mixed Commercial and Duplex	Single family residential	Single family residential

See Attachment B - Vicinity Map and Attachment C - Zoning Map.

The subject property consists of five parcels that are combined into one tax parcel.

IV. PUBLIC NOTIFICATION, AGENCY REVIEW AND NEIGHBORHOOD COMMENTS

Notices for the neighborhood meeting and for the Planning Commission public hearing were mailed to 74 tenants and owners of property within 300 feet of the subject property and were mailed to four registered neighborhood organization located within 1/4-mile of the subject property as required by the Lakewood Zoning Ordinance.

The case materials were sent to outside agencies for review but no significant comments were received because no major site improvements are proposed.

The neighborhood meeting was held on October 2, 2018 at Stober Elementary school. In attendance were three members of the applicant team and 29 members of the public. In general, there was concern about the impacts of the restaurant on the surrounding neighborhood and lots of questions about the permanent solution. For a neighborhood meeting summary, see Attachment D.

V. ANALYSIS

Article 2 of the Lakewood Zoning Ordinance provides specific review criteria for Special Use Permits. Each review criterion is shown below in bold text and staff's analysis follows each criterion in standard text. The following is a summary of staff's analysis.

A. The proposed special use is consistent with the applicable supplemental standards set forth in Article 4 of this Zoning Ordinance.

The supplemental standards for a Long-Term Temporary Use will be satisfied with the Planning Commission review.

B. The proposed special use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance.

As no major site improvements are proposed so the standards in Article 5 do not apply to this proposal.

C. The proposed special use is consistent with the applicable design standards set forth in Articles 6 and 7 of this Zoning Ordinance.

As no major site improvements are proposed, the standards in Article 7 do not apply to this proposal.

D. The proposed special use is consistent with the Comprehensive Plan and other adopted City plans.

The LTTU is consistent with the Comprehensive Plan because it supports the goal to encourage investment in Lakewood.

E. The proposed special use will not substantially impair the appropriate use or development of adjacent property.

Because there is an existing acceptable all-weather surface on-site and the applicant is not proposing any expansion of impervious area, drainage and run-off are not anticipated to change. The proposed LTTU is not anticipated to impair the appropriate use or development of the adjacent properties.

VI. FINDINGS OF FACT AND ORDER

Based upon the information and materials provided by the applicant, the neighborhood meeting and the staff report, staff supports the LTTU request. Therefore, the City of Lakewood staff recommends that the Planning Commission find that:

1. Guy Brazell, Abrusci's Temporary Parking, Inc, is requesting approval of a Long-Term Temporary Use Permit to allow for a surface parking lot; and
2. Notice of the public hearing was sent to the fee owners of the property and residents within 300 feet of the site and registered neighborhood associations within ¼ mile of the site as required by the Lakewood Zoning Ordinance; and
3. Notice of the public hearing was posted on site and published in the newspaper of record, as required by the Lakewood Zoning Ordinance; and
4. The proposed surface parking lot is consistent with the applicable supplemental standards set forth in Article 4 of this Zoning Ordinance; and
5. The proposed use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance; and
6. The proposed use is consistent with the applicable design standards set forth in Article 7 of the Zoning Ordinance; and
7. The proposed vehicle storage use (surface parking lot) will not substantially impair the appropriate use or development of adjacent property.

THEREFORE

The Planning Commission adopt the findings of fact and order as presented in the staff report and **APPROVE** Case No. SU-18-005 as a Long-Term Temporary Use Permit as required under the Zoning Ordinance, with the following conditions:

1. The Long-Term Temporary Use will expire on March 20, 2021 and vehicles must be removed from the site unless and extension is granted by the Planning Director; and
2. The parking area shall be defined with open fencing that directs the users to one point of access that aligns with the restaurant access location across Myrtlewood Lane. This fencing must be open fencing and no taller than 48 inches in height; and
3. Pavement must be placed at the parking lot entrance to prevent mud/gravel tracking onto the street; and

4. Six-foot tall perimeter fencing shall be placed on the eastern edge of the site in any locations where the existing fencing is missing or in disrepair.

Cc: Case File: SU-18-005
Guy Brazell

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