



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 6, 2021

Re: Old Hawthorne Wellness Center – Conditional Use Permit (Case #148-2021)

Executive Summary

Approval of this request will allow one O District conditional use, Outdoor Recreation or Entertainment, to operate on the subject property with certain conditions.

Discussion

Crockett Engineering Consultants (agent), on behalf of Boone Development, Inc. and Old Hawthorne Golf Club, LLC. (owners), seeks approval of a conditional use permit (CUP) to allow Outdoor Recreation or Entertainment uses on an O (Open Space) zoned property. The 6.19-acre subject site is located on the northern frontage of W. Old Hawthorne Drive, approximately 650' north of Route WW, and is commonly addressed 1900 W Old Hawthorne Drive.

Associated with this request is Case #147-2021, a requested rezoning of the property from PD (Planned Development) to O (Open Space). The CUP is necessary to maintain legal conformity of the existing site improvements should the associated rezoning request be approved.

The applicant is seeking approval to allow the subject site to be improved with Outdoor Recreation or Entertainment facilities as listed in the applicant's CUP documentation letter. This use, as defined in the UDC, includes the specific facilities requested by the applicant. Additionally, the definition encompasses large-scale, regional facilities but these facilities are excluded from the request as is consistent with the site's C-P statement of intent approved in 2005.

Approval of a conditional use permit is subject to the provisions of Chapter 29-6.4(m) of the UDC. A CUP can be approved with additional conditions viewed as necessary to mitigating possible conflicts. The attached staff report provides a full analysis of the request, evaluation of the CUP criteria, and three recommendation conditions. The CUP process is intended to mitigate potential negative impacts arising from competing, but complimentary land uses within certain contexts and offers an alternative to a traditional PD (Planned Development) zoning approach.

The Planning and Zoning Commission considered this request concurrently with Case # 147-2021 at their June 10, 2021 meeting. Staff presented its report and the applicant gave an overview of the request. The applicant supported all conditions recommended by staff. One member of the public spoke during the public hearing.



Commissioners commended the applicant for utilizing the O District zoning district in tandem with a CUP for the Outdoor Recreation or Entertainment use. Commissioners inquired about the types of proposed facilities, the condition regarding stormwater, and the City's lighting ordinance. Following additional discussion, a motion to approve the conditional use permit with all staff conditions was made. The motion was approved with a (9-0) vote.

The Planning Commission staff report inclusive of associated attachments, applicant CUP Documentation letter (revised Exhibit A), and the consolidated meeting minute excerpts for Cases #147-2021 and # 148-2021 are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Possible impacts could be public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Not Applicable

Legislative History

Date	Action
03/18/2008	Approving the C-P Development plan of Wellness Center Old Hawthorne Golf Club. (Ord. 019840)
07/05/2005	Assignment of permanent zoning of C-P. (Ord. 018558)

Suggested Council Action

Approve the requested conditional use permit for Outdoor Recreation or Entertainment in O, subject to the following conditions, as recommended by the Planning and Zoning Commission:

1. Uses are contained to those listed on Exhibit A and shall not include the following: amusement parks, commercial baseball fields, fairgrounds, race tracks, commercial



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stables, gun clubs, skeet, trap, or target ranges, outdoor stage and concert facilities, or other activities of similar type or scale.

2. The total square footage of the clubhouse facility shall not exceed the aggregate square footage of all facilities devoted to 'Outdoor Recreation or Entertainment' uses on the lot.
3. Prior to commencing with additional site improvements, regardless if a building permit is or is not required, a comprehensive land disturbance and stormwater management plan shall be provided for the City's approval demonstrating compliance with the adopted regulations. It is recognized that the final design of the site, as shown in the attached plan, may be modified prior to full build-out of the site and as such this condition may be satisfied by submitting plans showing compliance with each successive site improvement included and up to the final site feature's construction.