

# Staff Report – Plan Commission

<b>Docket #:</b>	PC2022-101, 102	<b>Hearing Date:</b>	February 13, 2023
<b>Address:</b>	Parcel south of 701 E County Line Rd (Parcel 41-02-28-012-009.000-026)		
<b>Applicant:</b>	Bruce Hedrick, Greenwood IL-AL Investors, LLC.		
<b>Owner:</b>	County Line Properties, LLC		
<b>Staff Contact:</b>	Gabe Nelson, <a href="mailto:nelsong@greenwood.in.gov">nelsong@greenwood.in.gov</a> , 317.887.5230		

**Request:**

Petitioner requests waivers from the following:

- Sec 10-03-02(E) – Parking Space Dimensions and Drive Aisles: Ninety-degree parking spaces are to be a minimum of 10' in width; Petitioner is requesting to reduce the width to 9'. Sixty-degree parking spaces are to be a minimum of 10'-5"; Petitioner is requesting to reduce the width to 9'-5".
- Sec 10-06-09 - Sidewalks: The sidewalk ordinance requires the installation of sidewalks on both sides of Wheatcraft Way; Petitioner is requesting removing a section of sidewalk because of the steep drainage ditch of Merry Branch Ditch.
- Sec 10-03-02(D) – Minimum Parking Standards: Based on proposed site plan, 194 parking spaces would be required. Petitioner is requesting providing 180 parking spaces, achievable with the reduced parking space dimensions being requested in Sec 10-03-02(E).

**Location:**

Parcel south of 701 E County Line Rd (Parcel 41-02-28-012-009.000-026)

**Existing & Surrounding Land Use:**

The Site: AC (Airport Commercial)

North: AC (Airport Commercial)

West: AC (Airport Commercial)

South: AC (Airport Commercial)

East: AC (Airport Commercial)

**Recommendation:**

Staff **recommends approval** of Sec 10-03-02(E) – Parking Space Dimensions and Drive Aisles. The reduction in parking space width from 10' feet to 9' (for ninety-degree parking) and 10'-5" to 9'-5" (for sixty-degree parking) will allow for more parking spaces to be located on site. The reductions should not have any serious consequences as many municipalities only require parking spaces to be nine (9) feet wide.

Staff **recommends approval** of Sec 10-06-09 – Sidewalks. Pedestrian crossings and additional sidewalks achieve pedestrian connectivity around and through the site.

Staff **recommends approval** of Section 10-03-02(D) – Minimum Parking Standards. The inclusion of the bicycle parking spaces allowed for additional reduction of eight (8) vehicular parking spaces, bringing the requirement to 194 spaces and a net reduction of fourteen (14) spaces.

**Attachments:**

Waiver request

## **Attachment P: Subdivision, Site Development, Parking and or Landscape Waiver Request**

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Project Harmony of Greenwood

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### ***Waivers from these Regulations.***

Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes and intent of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to these subdivision, site development, and or parking regulations so that substantial justice may be done and the public interest secured, provided that such waivers shall not have the effect of nullifying the intent and purpose of these regulations. Such waivers may be granted upon written request of the applicant stating the reasons for each waiver and may be waived by two-thirds (2/3) of the regular membership of the Plan Commission. (Sec. 10-501: Subdivision Control); (Sec. 10-460: Site Development); (Sec. 10-103: Parking); (Sec. 10-472: Landscape)

The Plan Commission may, in its discretion, authorize and approve waivers from the requirements and standards of these regulations upon finding that the following five criteria have been justified:

- (1) The approval of the waiver request will not be detrimental to the public safety, health, and welfare, or injurious to property within a reasonable proximity to the subject property involved in the waiver request.
- (2) The strict application of the applicable ordinance standard will result in practical difficulties in the development due to the particular physical surroundings, unique constraints, or topographical conditions of the subject property. These conditions will not substantially alter the character of the subject district or neighborhood.
- (3) The practical difficulties were not self-imposed and cannot be overcome by reasonable design alternatives. Financial hardship does not constitute grounds for a waiver.
- (4) The waiver request is necessary and represents a minimal deviation from explicit ordinance standards.

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**Attach a separate sheet** that thoroughly itemizes, explains, and justifies how each Waiver Request meets the Waiver Guidelines outlined above.

I respectfully request consideration by the Greenwood Plan Commission to waive the requirements established by the following Section(s) of the Greenwood Municipal Code for the Subdivision Control Ordinance, Site Development, Zoning Ordinance as it relates to parking requirements, and Landscaping requirements for the City of Greenwood: (Staff can assist) **NOTE:** *Do not use this form if requesting a Waiver from the Stormwater Drainage and Sediment Control Ordinance. Contact the City Engineering Department to discuss drainage waiver requests.*

1. Section 10- 03-02 Parking Space Dimensions. E. 90°-10' width, 60°-10'-5" width
2. Section 10- 06-09 Sidewalks. A. Required on both sides of street.
3. Section 10- 03-02 Required number of spaces. D.
4. Section 10- \_\_\_\_\_: \_\_\_\_\_

I submit that this request is not in conflict with the Plan Commission's guidelines for review of waiver requests outlined above.



Bruce Hedrick, VP of Dev/Constion Smith/Packett

Signature of Applicant

## **Criteria Supporting a Waiver of “Section 10-03-02. Parking Space Dimensions of the City of Greenwood Unified Development Ordinance**

The Petitioner, Greenwood IL-AL Investors, LLC, c/o Smith/Packett Med-Com, LLC (“Smith Packett”) respectfully request a waiver from the Parking Space Width requirements to 9’ for 90° parking and 9’-5” for 60° parking. This will allow 11 additional parking spaces making the total 180 spaces. Smith Packett proposes to develop the Site as an assisted living facility.

- (1) The approval of the waiver request will not be detrimental to the public safety, health, and welfare, or injurious to property within a reasonable proximity to the subject property involved in the waiver request.

Reducing the parking space width still allows safe maneuverability and easy access for entering and exiting the vehicle

- (2) The strict application of the applicable ordinance standard will result in practical difficulties in the development due to the particular physical surroundings, unique constraints, or topographical conditions of the subject property. These conditions will not substantially alter the character of the subject district or neighborhood.

Reducing the parking space width will increase the parking count and was suggested by staff to be closer to the total parking spaces required.

- (3) The practical difficulties were not self-imposed and cannot be overcome by reasonable design alternatives. Financial hardship does not constitute grounds for a waiver.

Reducing the parking space width was suggested by staff as a reasonable solution for gaining more parking spaces.

- (4) The waiver request is necessary and represents a minimal deviation from explicit ordinance standards.

Reducing the parking space width is a minimal deviation from the standards due to still meeting industry standards of providing 180 square feet for a parking space.

## **Criteria Supporting a Waiver of “Section 10-06-09. Sidewalks” (“Sidewalk Ordinance or SWO”) of the City of Greenwood Unified Development Ordinance**

The Petitioner, Greenwood IL-AL Investors, LLC, c/o Smith/Packett Med-Com, LLC (“Smith Packett”) respectfully request a waiver from the Sidewalk Ordinance requirements to install a sidewalk on both sides of Wheatcraft Way along the north side of the 7.7-acre site (“Site”). Smith Packett proposes to develop the Site as an assisted living facility.

- (1) The approval of the waiver request will not be detrimental to the public safety, health, and welfare, or injurious to property within a reasonable proximity to the subject property involved in the waiver request.

Smith Packett will provide a sidewalk on both sides of Wheatcraft Way along the vast majority of the Site’s frontage on Wheatcraft Way. The absence of a small section of sidewalk on the north side of Wheatcraft Way will have no detrimental effect to the public safety, health and/or welfare of pedestrians in the area of the Site. Additionally, the absence of a sidewalk along a small portion of the Site will not be injurious to any properties within a reasonable proximity to the Site. In support of this waiver, Petitioner confirms that they will install a sidewalk along both sides of Wheatcraft Way for the vast majority of the Site’s frontage on Wheatcraft Way and install a cross-walk on Wheatcraft Way where the sidewalk terminates on the north side of the street in order to promote the safety and welfare of pedestrian traffic along Wheatcraft Way.

- (2) The strict application of the applicable ordinance standard will result in practical difficulties in the development due to the particular physical surroundings, unique constraints, or topographical conditions of the subject property. These conditions will not substantially alter the character of the subject district or neighborhood.

The Petitioner will have a practical difficulty with the strict application of the SWO because of the existence of the Merry Branch Ditch which is a steep drainage ditch that immediately borders the north side of Wheatcraft Way in the area where Smith Packett desires a waiver of the SWO. The request for the waiver is due to the existence of the Merry Branch Ditch and the steep topographical conditions of the land where the waiver is requested. The waiver of the sidewalk requirement along a short section of Wheatcraft Way will not substantially alter the character of the subject district, neighborhood or other surrounding properties.

- (3) The practical difficulties were not self-imposed and cannot be overcome by reasonable design alternatives. Financial hardship does not constitute grounds for a waiver.

The practical difficulty in the development of the Site is not self-imposed. The difficulty is caused by the steep existing topographical conditions of the area north of Wheatcraft Way within the Merry Branch Ditch. The ditch is part of the drainage system of the nearby developed areas and cannot be reasonably altered to allow for sidewalks to be placed on the north side of Wheatcraft Way.

- (4) The waiver request is necessary and represents a minimal deviation from explicit ordinance standards.

The requested waiver is a minimal deviation from the SWO and per Section 10-06-09. B. of the SWO, the Greenwood Plan Commission has the authority to waive the requirements of the SWO where extreme topographical conditions or other unusual conditions make sidewalks or other pathway installation difficult and impractical on both sides of the street. Petitioner respectfully suggests that the existence of the Merry Branch Ditch and the steep topography change along the north side of Wheatcraft Way make installation of sidewalks in such an area very impractical and exceptionally difficult, thereby supporting a waiver of the SWO.

## **Parking Lot Waiver Request Findings**

Harmony at Greenwood

- 1) *The granting of the waiver will not be detrimental to the public safety, health, or welfare, or injurious to other property;* **The parking spaces needed to operate a senior living community is not similar of that to a multi-family development. On average, we have found that less than 10% of independent living drive, less than 1% of assisted living drive, and 0% of memory care. The parking spaces requested will be adequate for the employees and the visiting family members without being detrimental to public safety or be harmful of other property.**
- 2) *The conditions upon which the request for a waiver is based are unique to the property for which a waiver is sought and are not applicable generally to other property.* **This development is for senior living. The majority of the residences do not drive or own cars. Of the 100 employees, they are broken down into 3 shifts. 50 employees 7am – 3pm, 30 employees 3pm – 11pm, and 20 employees 11pm – 7am. During the day there could be 50 visitors on a flow from 8am – 8pm. This property is unique in the fact that our residents do not drive.**
- 3) *The Application of the Ordinance and/or Manual will present or cause an undue hardship for a Development or Development site; provided however, that undue hardship shall not include the need for the Developer to incur reasonable expenses in order to comply with the Ordinance and/or Manual.* **Below on this attached you will find 4 examples of similar communities. Memphis, TN 49 were required, we provided 162; Louisville, KY 114 were required, we provided 169; Bellevue, TN 79 was required, we provided 150; Tuscaloosa, AL 122 were required, we provided 162. Providing more parking then required, up to 180 is not a hardship for this development.**
- 4) *The granting of the requested relief will not substantially prevent the goals and purposes of the Ordinance, nor result in less effective management of Stormwater Runoff or Stormwater Quality.* **The goals and purposes of the Ordinance are still met due to the fact that there will be 180 parking spaces of the required 194 which is more than ample parking for segment – our residents, their families, and our employees.**

Memphis, TN

Building Area – 210,000 S.F.

Unit Total – 196

Parking required – 49 spaces (1 per 4 units)

Parking Provided – 162 spaces

SITE DATA		CURVE TABLE - E OF DRIVE				
GROSS LAND AREA	360,407 S.F. or 8.274 ACRES	①	RAD.	ARC	TAN	CHL.
R.O.W. DEDICATION	11,927 S.F. or 0.274 ACRES					DEL.
NET LAND AREA	348,480 S.F. or 8.000 ACRES	1	62.00'	87.30'	62.00'	87.68'-S49°15'05"W
DRAINAGE BASIN	GRAY'S CREEK 16	2	62.00'	87.30'	62.00'	87.68'-S49°15'05"W
USE	SENIOR LIVING FACILITY	3	72.00'	71.11'	72.00'	101.62'-N40°26'55"W
BUILDING AREA	210,000 S.F. - 196 UNITS	4	41.52'	28.64'	75.48'	28.01'-N24°23'07"E
BUILDING HEIGHT	56 FEET MAX.	5	37.00'	58.12'	37.00'	52.33'-N49°13'59"E
MIN. BLDG. SETBACKS	20' FRONT, 5' SIDE & REAR, 10' SIDE & REAR ABUTTING SINGLE-FAMILY	6	37.00'	44.08'	25.08'	41.52'-S51°39'04"E
PARKING REQUIRED	49 SPACES (1 per 4 UNITS)	7	17.00'	20.23'	71.52'	78.08'-S51°39'04"W
PARKING PROVIDED	162 SPACES	8	17.00'	20.23'	71.52'	78.08'-N60°05'14"E
STANDARD 9'x18'	156 SPACES	9	37.00'	44.08'	25.08'	41.52'-N60°05'14"E
HANDICAP 9'x18'	4 SPACES					
BIKE PARKING	0 SPACES					



Louisville, KY

Building Area – 205,950 S.F.

Unit Total – 182

Parking required – 114

Parking Provided - 169

#### PROJECT DATA

TOTAL SITE AREA	= 12.85± Ac. (559,598 SF).
EXISTING ZONING	= PD (TYLER TOWN CENTER)
FORM DISTRICT	= NEIGHBORHOOD
EXISTING USE	= PLANT NURSERY
PROPOSED USE	= ASSISTED LIVING FACILITY
BUILDING HEIGHT	= 40' 2-1/2 STORIES (40' 2-1/2 STORIES MAX. ALLOWED)
BUILDING FOOTPRINT	= 69,800 SF
BUILDING AREA	= 205,950 SF
BUILDING COVERAGE	= 13% (40% MAX. ALLOWED)

#### **PARKING REQUIRED**

SENIOR LIVING FACILITY	MIN.	MAX.
0.5 SP/ROOM MIN. (182 ROOMS)	= 91 SP	
1.5 SP/ROOM MAX. (182 ROOMS)	=	273 SP
1 SP/2 EMP. MIN. (45 EMPLOYEES)	= 23 SP	
1 SP/EMPLOYEE MAX. (45 EMPLOYEES)	=	45 SP
PARKING REQUIRED	= 114 SP	318 SP

PARKING PROVIDED = 169 SPACES  
(6 HC SP INCLUDED)

OPEN SPACE REQUIRED = 139,890 SF (25%)  
OPEN SPACE PROVIDED = 189,345 SF (34%)

TOTAL VEHICULAR USE AREA = 83,503 SF  
INTERIOR LANDSCAPE AREA REQUIRED = 6,263 SF  
INTERIOR LANDSCAPE AREA PROVIDED = 7,133 SF

EXISTING IMPERVIOUS = 57,593 SF  
PROPOSED IMPERVIOUS = 162,977 SF (183% INCREASE/DECREASE)

Bellevue, TN

Building Area – 184,062 S.F.

Unit Total – 180

Parking required – 79 (1 space / 3 beds)

Parking Provided - 150

BUILDING INFORMATION		
PROJECT NAME:	HARMONY AT BELLEVUE	
LOCATION:	8234 HIGHWAY 100 NASHVILLE, TENNESSEE, 37221	
LOT AREA:	8.8 ACRES (383,464 S.F.)	
CONSTRUCTION:	NEW CONSTRUCTION	
PROJECT INFORMATION		
PROPOSED USE:	SENIOR LIVING CENTER CONTAINING INDEPENDENT LIVING , ASSISTED LIVING AND MEMORY CARE	
NUMBER OF UNITS:	INDEPENDENT LIVING (IL): 85 (125 BEDS) ASSISTED LIVING (AL): 63 (76 BEDS) SECURED UNITS (SC): 32 (34 BEDS)	
NO. OF STORIES:	3 TOTAL	
BUILDING SUMMARY		
BUILDING AREA:	AREA BY CODE (UNDER ROOF)	MARKET GROSS (EXTERIOR MATERIAL)
FLOOR 1	73,893 SQ.FT.	66,933 SQ.FT.
FLOOR 2	63,265 SQ.FT.	58,910 SQ.FT.
FLOOR 3	66,953 SQ.FT.	58,786 SQ.FT.
TOTALS	204,111 SQ.FT.	184,629 SQ.FT.

## SITE DATA:

### PROPERTY INFORMATION:

STREET ADDRESS:  
CIVIL DISTRICT/REP.:  
TAX MAP:  
PARCEL:  
SITE AREA:  
COMMUNITY PLAN/SUB AREA #:  
TRANSECT:  
POLICY DESCRIPTION:  
CCM:

8234 HIGHWAY 100  
35TH/DAVE ROSENBERG  
155  
109  
8.8± AC. (383,464 S.F.)  
BELLEVUE/6  
T3 SUBURBAN  
SUB. NEIGHBORHOOD MAINTENANCE  
T3 NM

### DEVELOPER

MICHELE SONS  
BELLEVUE IL-AL INVESTORS, LLC  
4423 PHEASANT RIDGE ROAD  
ROANOKE, VA 24014  
(540) 774-7762, EXT. 141  
MSONS@SMITHPACKETT.COM

### PROJECT ENGINEER

WES MAGILL, PE  
RAGAN-SMITH ASSOCIATES, INC.  
315 WOODLAND STREET  
NASHVILLE, TN 37206  
(615) 244-8591  
WMAGILL@RAGANSMITH.COM

### ZONING INFORMATION:

CURRENT ZONING CLASSIFICATION:  
PROPOSED ZONING CLASSIFICATION:  
EXISTING USE:  
PROPOSED USE:  
PROPOSED USE COMPLIANT:

AR2A (AGRICULTURAL)  
AR2A (AGRICULTURAL)  
SINGLE FAMILY  
ASSISTED-CARE LIVING  
PERMITTED

### BULK REGULATIONS:

MINIMUM LOT AREA:  
ALLOWED BUILDING HEIGHT:  
BUILDING SETBACKS:  
FRONT:  
SIDE:  
REAR:

2 AC.  
3 STORIES (VIA BZA APPROVAL)  
40'  
30'  
20'  
184,062 SF (VIA BZA APPROVAL)  
184,062 SF  
0.48 (0.48)  
0.6 (0.45 APPROX.)

ALLOWED FLOOR AREA:  
PROPOSED FLOOR AREA:  
MAXIMUM FAR (PROVIDED):  
MAXIMUM ISR (PROVIDED):

### PARKING INFORMATION:

REQUIRED PARKING:  
PROPOSED BED COUNT:  
PROPOSED PARKING:

79 SPACES (1 SPACE/3 BEDS)  
235 BEDS  
150 SPACES (5 ACCESSIBLE INCLUDED:  
1 VAN & 4 CAR ACCESSIBLE SPACES)

### SURVEY INFORMATION:





Tuscaloosa, AL

Building Area – 214,031 S.F.

Unit Total – 202

Parking required – 122

Parking Provided - 162

### **PARKING SPACE INFORMATION**

*PARKING SPACES REQUIRED: 0.6 PER BEDROOM x202 BEDROOMS = 122 SPACES  
PARKING SPACES PROVIDED: 162*

#### **BUILDING AREA:**

	*OWNER NET AREA	**OWNER GROSS AREA	***BUILDING CODE AREA
FLOOR 4	31,465 SQ.FT.	32,127 SQ.FT.	33,079 SQ.FT.
FLOOR 3	56,283 SQ.FT.	57,111 SQ.FT.	58,070 SQ.FT.
FLOOR 2	57,061 SQ.FT.	57,393 SQ.FT.	58,193 SQ.FT.
FLOOR 1	59,099 SQ.FT.	59,431 SQ.FT.	64,689 SQ.FT.
TOTAL	203,908 SQ.FT.	206,062 SQ.FT.	214,031 SQ.FT.

## **BUILDING INFORMATION**

PROJECT NAME: CROSSINGS AT NORTH RIVER  
LOCATION: 200 GEORGE HALL LN  
TUSCALOOSA, AL 35406

LOT AREA: 7.92 ACRES  
ZONING: BGO  
CONSTRUCTION: NEW CONSTRUCTION

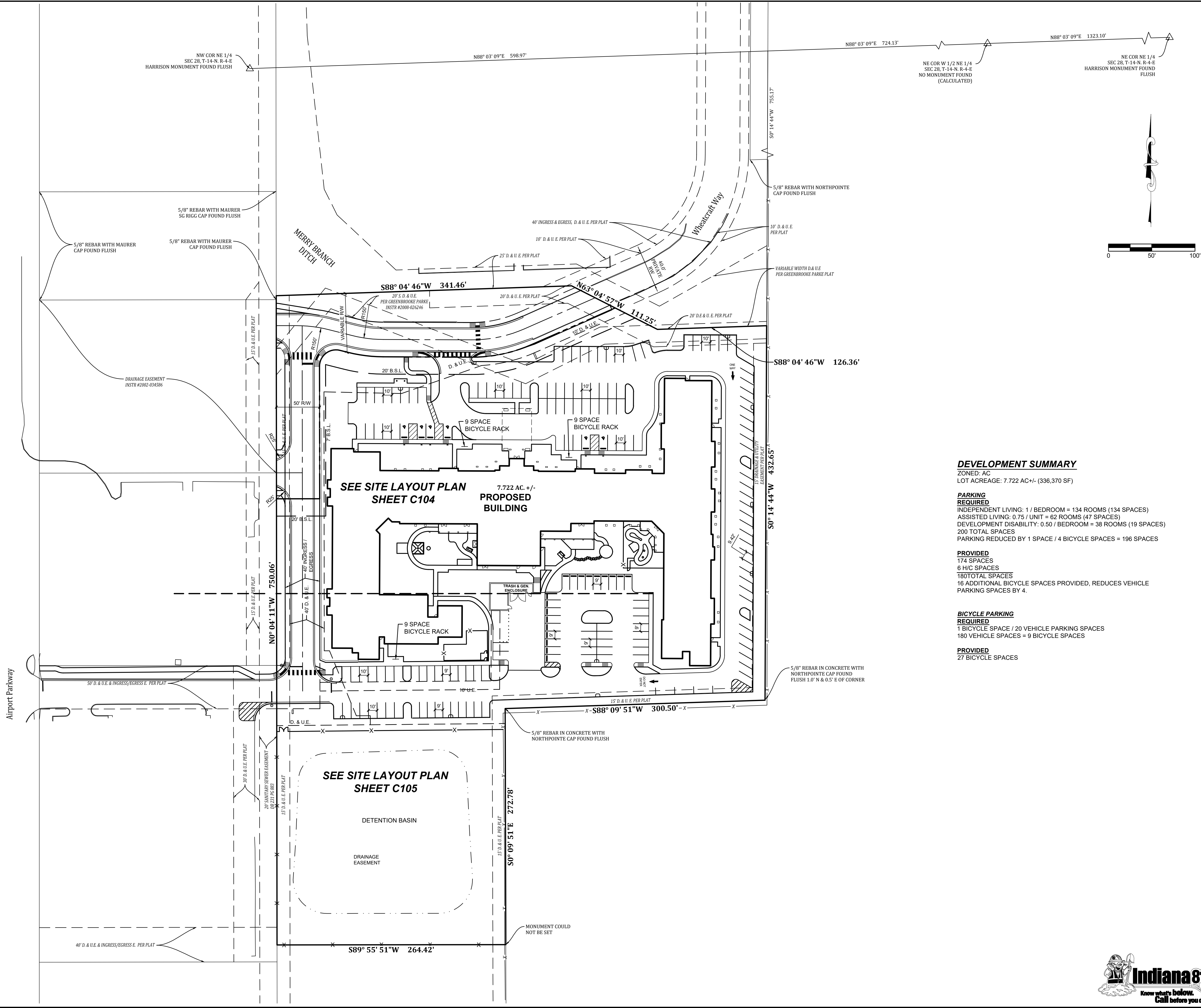
#### **PROJECT INFORMATION**

PROPOSED USE: SENIOR LIVING CENTER CONTAINING INDEPENDENT LIVING, CONGREGATE ASSISTED LIVING (AL), AND CONGREGATE SPECIALTY CARE ASSISTED LIVING FOR MEMORY CARE (MC)

NUMBER OF UNITS: 'IL' INDEPENDENT LIVING: 94 UNITS (130 BEDS)  
'AL' CONGREGATE ASSISTED LIVING: 76 UNITS ( 84 BEDS)  
'MC' SPECIAL CARE ASSISTED LIVING-MEMORY CARE: 32 UNITS ( 32 BEDS)  
202 UNITS (246 BEDS)

DESCRIPTION: THE PROJECT CONSISTS OF A NON-SEPARATED MIXED USE FACILITY HAVING INDEPENDENT LIVING, ASSISTED LIVING, AND MEMORY CARE UNITS THROUGHOUT THREE SEPARATED BUILDINGS UNDER ONE ROOF.

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**DEVELOPMENT SUMMARY**

ZONED: AC  
LOT ACREAGE: 7.722 AC+/- (336,370 SF)

**PARKING REQUIRED**

INDEPENDENT LIVING: 1 / BEDROOM = 134 ROOMS (134 SPACES)  
ASSISTED LIVING: 0.75 / UNIT = 62 ROOMS (47 SPACES)  
DEVELOPMENT DISABILITY: 0.50 / BEDROOM = 38 ROOMS (19 SPACES)  
200 TOTAL SPACES  
PARKING REDUCED BY 1 SPACE / 4 BICYCLE SPACES = 196 SPACES

**PROVIDED**

174 SPACES  
6 H/C SPACES  
180 TOTAL SPACES  
16 ADDITIONAL BICYCLE SPACES PROVIDED, REDUCES VEHICLE  
PARKING SPACES BY 4.

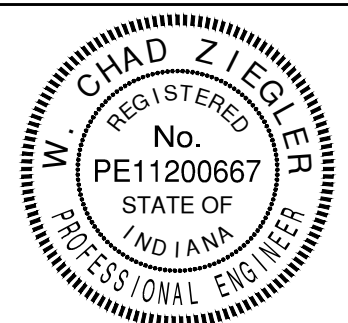
**BICYCLE PARKING REQUIRED**

1 BICYCLE SPACE / 20 VEHICLE PARKING SPACES  
180 VEHICLE SPACES = 9 BICYCLE SPACES

**PROVIDED**

27 BICYCLE SPACES

OVERALL PLAN  
HARMONY OF GREENWOOD  
JOHNSON COUNTY  
GREENWOOD, INDIANA



W. Chad Ziegler

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