

Staff Analysis: Article 3, Section 13 of the Unified Development Ordinance authorizes the existence of conditional uses. The Planning and Zoning Commission may recommend to the City Council to approve an application for a conditional use permit where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the general public.

The City Council may permit a conditional use subject to appropriate conditions and safeguards, when after public notice and hearing the Council finds that:

(Staff comments are in italics)

1. "The proposed use shall meet the purpose and intent of this UDO and the use shall meet all the minimum standards established in this UDO for this type of use.
 - *Staff conducted a technical review and found general compliance with development regulations regarding the use, parking, and distance from incompatible uses.*
2. "The proposed use shall be consistent with the development policies and goals and objectives as embodied in the Comprehensive Plan for development of the City.
 - *The request is in compliance with the Comprehensive Plan.*
3. "The proposed use shall not be detrimental to the health, welfare, or safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.
 - *The public hearing is an opportunity for the Commission to measure the potential impact on surrounding land uses.*
4. "The proposed site plan and circulation plan shall be harmonious with the character of the surrounding area.
 - *The proposed use is located in an existing commercial center with an approved site plan.*
5. "The proposed use shall not negatively impact existing uses in the area or in the City through impacts on public infrastructure such as roads, parking facilities, electrical, or water and sewer systems, or on public services such as police and fire protection, solid waste collection, or the ability of existing infrastructure and services to adequately provide services.

- *The proposed site would not affect existing infrastructure. Although parking is limited, the center does not have more than 25% intense use, and additional parking is not required.*
6. "The proposed use shall not negatively impact existing uses in the area or in the City.
- *At this time, there are no known negative impacts on existing uses associated with the proposed use. The public hearing is an opportunity to gauge the impact this use would have on the surrounding area.*

The City Council may impose additional reasonable restrictions or conditions to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, additional landscaping, and additional improvements such as curbing, utilities, drainage facilities, sidewalks, and screening."