

**ZONING COMMITTEE
RECOMMENDATION
May 24, 2006**

Rezoning Petition No. 2006-019

Property Owner: Family Support Services, Inc.

Petitioner: Family Support Services, Inc.

Location: Approximately 9.8 acres north of The Plaza and east of Glenfiddich Drive

Request: Change from R-4 (single family residential) to INST(CD) (conditional institutional)

Action: A majority of the Zoning Committee voted to recommend that this petition be advertised for a new public hearing. That recommendation was based upon the following modifications made to the site plan since the public hearing:

- Building 1 will be used for administrative offices housing staff and office equipment.
- Building 2 will be used to provide supportive planning services and recreational activities.
- **The proposed new building for senior housing has been deleted.**

Vote: Yeas: Carter, Howard, Hughes, Ratcliffe

Nays: Cooksey, Sheild

Absent: Farman

Summary of Petition

This petition seeks approval for Family Support Services administrative offices and adult development day care. The revised petition essentially seeks to bring the site's existing uses into zoning compliance.

Zoning Committee Discussion/Rationale

Staff reviewed the petition noting that the petitioner has deleted the previously proposed residential component. The existing uses are a violation of the current zoning. Staff explained that since this was a significant change to the petition the Zoning Committee may want to advise the City Council as to whether a new public hearing was warranted.

A Committee member suggested that this petition go back for a new public hearing in order to allow the neighbors to review the uses to be allowed on the site. Those uses have been established in violation of the Zoning Ordinance. It was also suggested that a new community meeting was appropriate since neighbors may not know what the proposed uses are prior to a new hearing. Staff pointed out that we had no basis to **require** a new community meeting. The Committee member suggested that the petitioner be "strongly encouraged" to hold a new community meeting.

Vote

Upon a motion made by Mr. Howard and seconded by Mr. Ratcliffe, the Zoning Committee voted 4-2 to recommend that this petition be advertised for a new public hearing.

Minority Opinion

A minority of the Zoning Committee felt that the proposed uses had been thoroughly discussed the first time they reviewed this petition. The Committee had recommended approval of this petition even before the controversial residential uses were deleted. The minority felt that a new public hearing was not necessary and that this petition was appropriate for approval.

Staff Opinion

Staff supported this petition even with the residential component. However, the discussion centered on the proposed residential component. Since the other existing uses were established in violation of the Zoning Ordinance and without any opportunity for public input, a new public hearing may be appropriate.

If Council determines that a new public hearing is not warranted, staff recommends approval of the revised petition.