

**ZONING COMMITTEE
RECOMMENDATION
January 26, 2007**

Rezoning Petition No. 2007 - 09

Property Owner: Thomas and Sara Pinion

Petitioner: Thomas and Sara Pinion

Location: Approximately 5.288 acres located northwest of East W.T. Harris Boulevard and Demill Lane.

Request: Change in zoning from R-4 and R-8MF(CD) to Inst(CD).

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition.

Vote: Yeas: Carter, Chiu, Loflin, Randolph, Ratcliffe, Sheild and Simmons

Nays: None

Absent: None

Summary of Petition

This petition seeks to rezone two parcels to allow the expansion of an existing 4,165 square foot daycare center serving approximately 79 children. The rezoning would facilitate the following:

- Initially, the rezoning would permit the conversion of an existing 2,097 square feet residence, to accommodate 34 more children for the center.
- Also included in the petition is a request for an additional building of up to 4,500 square feet for 86 additional children.
- Total proposed enrollment for the three buildings would be for up to 199 children.
- The total building area would be up to 10,762 square feet.

Zoning Committee Discussion/Rationale

Mr. MacVean reviewed the petition and noted that the proposed petition is not consistent with the East Side Strategy Plan. However, the conditional request allows for a daycare center, which as an institutional use, is considered appropriate at this location. The petitioner has agreed to requested site plan modifications and staff is waiting to receive a revised site plan.

Statement of Consistency

Upon a motion made by Commissioner Loflin and seconded by Commissioner Ratcliffe the Zoning Committee unanimously found this petition to be inconsistent with the East Side Strategy Plan but reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Sheild and seconded by Commissioner Ratcliffe the Zoning Committee voted unanimously to recommend approval of this petition with the noted conditional plan modifications.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.