

**ZONING COMMITTEE
RECOMMENDATION
February 27, 2007**

Rezoning Petition No. 2007-128

Property Owner: Stone-Hunt Development, LLC

Petitioner: Stone-Hunt Development, LLC

Location: Approximately 6.76 acres located on both sides of Main Street between Baxter Street and Baldwin Avenue

Center, Corridor or Wedge: Wedge

Request: R-8, single family residential to UR-2 (CD), urban residential conditional district

Action: The Zoning Committee voted unanimously to recommend a **ONE-MONTH DEFERRAL** of this petition.

Vote:

Yeas:	Johnson, Lipton, Loflin, Rosenburgh, and Sheild
Nays:	None
Absent:	Randolph
Recused:	Howard

Summary of Petition

This petition proposes to rezone 6.76 acres for the development of 63 multi-family homes for sale. There are several building designs with and without parking. The plan shows the abandonment of a portion of Main Street and a new connection from Main to Luther.

Zoning Committee Discussion/Rationale

Staff began a review of the petition and noted that the revised site plan was submitted shortly before the meeting. It was noted that at the public hearing staff had many outstanding site plan issues and since that time the petitioner agreed to address all of these issues. The Commission asked if staff was comfortable making a recommendation today. Staff indicated yes. Another Commissioner stated that the Committee has been trying to put a little discipline into the process for the benefit of all parties and not consider any site plans after the deadline set by staff on Friday. Staff tried very hard to do this and the Committee's policy was to defer anything that came in after the deadline. Another Commissioner stated that it is admirable for staff to deal with this but it puts undue pressure on staff and the Commission. The Commission wants to be

consistent, objective, informed, and fair to everyone and it is not fair when the site plan is submitted a few minutes before the vote. Staff noted that the petitioner was made aware of the possibility of a deferral.

The Commission suspended the rules and asked Anthony Hunt what the impact of the deferral would be on them. Mr. Hunt indicated that all of the issues had been addressed and that this is the second deferral and it is a financial strain. He indicated that since the issues had been addressed he would ask for consideration today.

The Commission asked staff if they still supported the petition. Staff indicated that a letter had been submitted resolving all of the outstanding issues in a satisfactory manner. If the site plan addresses all of the issues as indicated in the letter, then staff can support the petition. Since the site plan was submitted shortly before the meeting, staff has not had time to review it and cannot say if all of the issues have been addressed in accordance with the letter.

The Commission discussed deferring this petition prior to the next City Council meeting. Staff indicated that this would challenge staff to provide a recommendation to the City Council for a petition they would be asked to make a decision on that night. It was pointed out that there has been a lot of effort on this project and the public needs adequate time to review the site plan.

Vote

Upon a motion made by Commissioner Lipton and seconded by Commissioner Johnson the Commission voted unanimously to recommend a **ONE-MONTH DEFERRAL** of this petition. (Commissioner Howard was recused due to a conflict of interest.)

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.