

**ZONING COMMITTEE
RECOMMENDATION
July 30, 2008**

Rezoning Petition No. 2008-100

Property Owner: Vernell Belin

Petitioner: Vernell Belin

Location: Approximately 0.93 acres located on the north side of Joyce Drive between Kildare Drive and Milton Road.

Center, Corridor, or Wedge: Wedge

Request: R-8MF, multi-family residential to UR-C (CD), urban residential commercial conditional district

Action: The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition, with the following modifications:

- The building addition area and total building has been properly calculated.
- The Parking area has been modified to reflect the maximum parking allowed in the requested zoning district.
- The parking lot screening has been moved out of the right-of-way.
- The play space and fencing has been moved out of the rear yard.
- The note regarding “Garbage to be curb roll out....” has been removed.
- A note has been added regarding the amount of play space that will be provided.
- A 14’ buffer along the entire eastern and northern edge of the property has been shown.
- The petitioner will show an 8’ planting strip and 6’ sidewalk and add a note that they may seek a variance.
- The existing fence will be moved out of the right-of-way.

Vote: Yeas: Allen, Griffith, Howard, Lipton, Randolph, and Rosenburgh

Nays: None

Absent: Johnson

Summary of Petition

This request proposes to rezone 0.93 acres from R-8MF to UR-C (CD) to expand an existing large childcare center from 111 to 130 children.

Zoning Committee Discussion/Rationale

Tom Drake presented the petition to the Zoning Committee and noted that the petitioner has not shown the minimum 8' planting strip and 6' sidewalk that is required in the UR-C zoning district. The rules were suspended and the petitioner agreed to show an 8' planting strip and 6' sidewalk and add a note that they may seek a variance. In addition, the fence will be moved out of the right-of-way.

Statement of Consistency

Upon a motion made by Commissioner Lipton and seconded by Commissioner Rosenburgh. The Zoning Committee unanimously found this petition to be consistent with the *East District Plan* and reasonable and in the public interest.

Vote

Upon a motion made by Commissioner Lipton and seconded by Commissioner Randolph the Zoning Committee voted unanimously to recommend APPROVAL of this petition as modified.

Staff Opinion

Staff agrees with the recommendation of the Zoning Committee.