



AGENDA MEMORANDUM

Public Hearing & First Reading Ordinance for the City Council Meeting 03/17/20
Second Reading Ordinance for the City Council Meeting 03/24/20

DATE: January 31, 2020

TO: Peter Zaroni, City Manager

FROM: Al Raymond, AIA, Director
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Rezoning a property at or near 1733 South Brownlee Boulevard
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CAPTION:

Zoning Case No. 0120-05, My Home Team Media, LLC. (District 2). Ordinance rezoning property at or near 1733 South Brownlee Boulevard from the "CG-2" General Commercial District to the "IL" Light Industrial District.

SUMMARY:

The purpose of the zoning request is to allow for the operation of a group home for drug and alcohol treatment.

BACKGROUND AND FINDINGS:

The subject property is 0.14 acres in size. According to the applicant the purpose of the request is for the operation of a group home for drug and alcohol treatment. The applicant has not submitted any specific plans concerning the proposed group home for drug and alcohol treatment. The applicant is a faith-based recovery program. The persons in the program will be on-site residents. There will be 5-6 full-time staff members on-site to monitor the residents. The office hours will be Monday-Friday 8 am to 5 pm.

Conformity to City Policy

The subject property is located within the boundaries of the Midtown Area Development Plan and is planned for mixed uses. The proposed rezoning is inconsistent with the adopted Comprehensive Plan (Plan CC). However, the proposed use is compatible with the adjoining properties and does not have a negative impact. The "IL" Light Industrial District allows uses such as heavy vehicle repair, warehousing, waste-related services, open storage, and bars which are incompatible with the surrounding properties. A Special Permit (SP) will provide the ability to locate the treatment facility on the subject property.

Public Input Process

Number of Notices Mailed
8 within 200-foot notification area
5 outside notification area

As of January 17, 2020:

In Favor

0 inside notification area

0 outside notification area

In Opposition

0 inside notification area

0 outside notification area

Totaling 0.00% of the land within the 200-foot notification area in opposition.

Commission Recommendation

Planning Commission recommended denial of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit (SP) with conditions on January 22, 2020.

ALTERNATIVES:

1. Approval of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION:

Staff recommends denial of the zoning request in lieu of a Special Permit.

Planning Commission recommended denial of the change of zoning from the "CG-2" General Commercial District to the "IL" Light Industrial District, in lieu thereof, approval of the "CG-2/SP" General Commercial District with a Special Permit (SP) with conditions with the following vote count.

A $\frac{3}{4}$ vote is required to overturn the recommendation of the Planning Commission.

Vote Count:

For: 8

Opposed: 1

Absent: 0

Abstained: 0

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Presentation - Aerial Map

Planning Commission Final Report