



Legislation Details (With Text)

File #: ID 2017-444 **Version:** 1 **Name:**
Type: Ordinance - 2nd Reading **Status:** Agenda Ready
File created: 6/26/2017 **In control:** Regular City Commission Meeting
On agenda: 7/12/2017 **Final action:** 7/12/2017
Title: APPROVAL OF AN ORDINANCE FOR REZONING OF FELLOWSHIP LIVING FACILITES INC., LOCATED AT 451, 461, 465, 471-A, 471-B AND 471-C BANKS ROAD.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORDINANCE, 2. BACKGROUND: PZ REZONING APPLICATION, 3. MINUTES: DRC 12/23/14, 4. MINUTES: P&Z 3/3/15, 5. MINUTES: CITY COMMISSION 3/18/15, 6. MINUTES: CITY COMMISSION 4/1/15, 7. MINUTES: DRC 2/14/17, 8. MINUTES: DRC 2/28/17, 9. MINUTES: P&Z 5/2/17, 10. BACKGROUND: ORDINANCE 2015-RZ-1

Date	Ver.	Action By	Action	Result
7/12/2017	1	Regular City Commission Meeting		

TO: Mayor and City Commission

FROM: Samuel A. May, Interim City Manager

DATE: June 21, 2017

APPROVAL OF AN ORDINANCE FOR REZONING OF FELLOWSHIP LIVING FACILITES INC., LOCATED AT 451, 461, 465, 471-A, 471-B AND 471-C BANKS ROAD.

BACKGROUND: City Staff initiated this request to rezone 451, 461, 465, 471-A, 471-B, and 471-C Banks Road from Community Facilities (CF-1) District to Multiple Dwelling (R-3) District. The R-3 zoning designation would thereby create a legal nonconforming status which would maintain the surrounding residential neighborhood.

At the 12-23-14 DRC meeting the petitioner, Rick Riccardi, had requested a prior rezoning of these properties from R-3 to CF-1 to allow Fellowship Living Facilities to expand its capacity as a community facility to house men and women in recovery from alcohol and drug addiction. This item was brought forward and approved at the 3-3-15 Planning and Zoning meeting, approved at 1st reading at the 3-18-15 City Commission meeting, and approved at 2nd reading at the 4-1-15 City Commission meeting via Ordinance 2015-RZ-1. Copies of the minutes from the four meetings are attached.

Subsequent to this approval, staff had advised at a 11-22-16 Reasonable Accommodation meeting that the applicant would rezone these properties back to R-3; thereby, making all six properties legal nonconforming. This legal nonconforming status will maintain the residential neighborhood and be conducive to the surrounding properties and only allow R-3 uses as stipulated in the Code of Ordinances. Because of the legal nonconforming status, any future group care facility and/or hospital use would not be allowed. At the conclusion of this meeting, staff would consider all six properties as one facility and would be capped at 16 people when rezoned back to R-3.

This item passed on First Reading at the June 21, 2017, Regular City Commission meeting.

RECOMMENDATION: This item was tabled to at the Development Review Committee (DRC) meeting held on 2-14-17 to be heard at the next regular scheduled DRC meeting. Subsequently, the item was heard at the DRC meeting on 2-28-17 and was approved. The item was approved by the Planning and Zoning Board on 5-2-17 with a vote of 5-0. Copies of the DRC and Planning and Zoning Board meeting minutes are attached.

FISCAL IMPACT: n/a

CONTACT PERSON: Benjamin J. Ziskal, AICP, CEcD, Director of Economic Development