
MEMORANDUM

To: Mayor and City Council
Through: Kari Kent, Deputy City Manager
From: John Wesley, Planning Director
Date: March 23, 2015
Subject: Planning and Zoning Board recommendation for case #Z15-007, rezoning from DR-2 to DB-1 BIZ with a Council Use Permit for a social service at 108 E 2nd Ave. and 161 S. Sirrine.

This request is for the expansion of an existing drug and alcohol detox treatment facility at the northeast corner of S. Sirrine and Second Avenue. The existing facility has been in operation for many years and is a legal, non-conforming use. The property owner would like to remove the existing 735 square foot residential structure at 161 S. Sirrine and replace it with a 2,899 square foot structure to provide bedrooms for clients of the facility. Because of this expansion, the zoning for the property needs to be brought into conformance.

The use of this property as a drug and alcohol detox facility is not allowed in the current zoning of DR-2 (Downtown Residential). The use is allowed in the DB-1 and DB-2 (Downtown Business) districts with the approval of a Council Use Permit (CUP). The applicant has requested the DB-1 zoning for this property. In addition to the rezoning and the CUP, the applicant has also requested a Bonus Intensity Zone (BIZ) overlay to address some concerns about introducing the DB zoning district into this residential area.

The staff and the Planning and Zoning Board have recommended denial of this request. The reasons for this recommendation are contained in the staff report and minutes of the Planning and Zoning Board. Further, based on the information provided prior to the Planning and Zoning Board hearing, it appears this case will have a legal protest and require an affirmative vote of at least six of the City Council members to approve.

Because of the recommendation for denial, an ordinance has not been prepared for this request. If, at the hearing on March 23 the Council determines there is support for possible approval of this request, the Council will need to continue the hearing to the May 4 Council meeting. This will give us time to prepare and introduce the ordinance. It will also give staff time to work with the applicant to prepare a Development Agreement that will limit the uses allowed on the property as discussed in the staff report.