

Department of Community Planning and Economic Development – Planning Division
BZZ-5001

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments, Article VII, Conditional Use Permits, Article IX, Variances, Chapter 530 Site Plan Review.

Background: The applicant is proposing to construct an addition to an existing building in order to locate a new child care center on the subject properties located at 5101 and 5103 (5105) France Avenue South. In order to construct the new approximately 5,000 square foot, two-story addition, a rezoning is required from the R1A district to the OR1 district. Child care centers are conditional uses in the OR1 district and are subject to specific development standards. A variance is needed as the development is subject to a front yard setback increase of approximately 49 feet, 4 inches along France Avenue South and the applicant is proposing to locate the addition at approximately 23 feet. An additional variance is required as the proposal is not meeting the off-street parking requirement of 20 spaces as only 4 are provided on the premises. Site plan review is also required.

The applicant has requested that the project be continued until the December 13th Planning Commission in order to reconsider the configuration and layout of the proposed development. The applicant is working to potentially eliminate the applicable variances currently proposed for the development.

Staff has not received any official correspondence from the Fulton Neighborhood Association or any neighborhood letters/emails prior to the printing of this report. Any correspondence received prior to the public meeting will be forwarded on to the Planning Commission for consideration.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the rezoning:

The Department of Community Planning and Economic Development - Planning Division recommends that the City Planning Commission **continue** the rezoning petition to change the zoning classification of the property located at 5103 (5105) France Avenue South from the R1A district to the OR1 district to the December 13, 2010 Planning Commission meeting.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **continue** the conditional use permit application for a child care center on the properties located at 5101 and 5103 (5105) France Avenue South to the December 13, 2010 Planning Commission meeting.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **continue** the variance application of the front yard setback requirement along France Avenue South from approximately 49 feet, 4 inches to approximately 23 feet to allow the proposed building addition on the properties located at 5101 and 5103 (5105) France Avenue South to the December 13, 2010 Planning Commission meeting.

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Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **continue** the variance application of the off-street parking requirement from 20 spaces to 4 spaces on the properties located at 5101 and 5103 (5105) France Avenue South to the December 13, 2010 Planning Commission meeting.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the site plan review:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission **continue** the site plan review application for a new 2-story addition to an existing building for a child care center on the properties located at 5101 and 5103 (5105) France Avenue South to the December 13, 2010 Planning Commission meeting.

Attachments:

1. Zoning Map