

AGENDA REPORT

DATE January 6, 2004

ITEM Ordinance No. 2868 to Rezone Lots 6 and 7, Block 244, Original Townsite

INITIATED BY Bruce and Melinda Morison, Property Owners

ACTION REQUESTED Accept Ord. No. 2868 on First Reading and Set Public Hearing and Final Reading Date

PREPARED BY Bill Walters, Senior Planner

APPROVED & PRESENTED BY Ben Rangel, Acting Planning Director

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**RECOMMENDATION:** To initiate final action on this Amendment to the Revitalization Plan, it is recommended the City Commission accept Ordinance No. 2868 on first reading and set January 20, 2004, as the Public Hearing and final reading date.

**MOTION:** I move the Commission accept Ordinance No. 2868 on first reading and set 7:00 p.m., Tuesday, January 20, 2004, as the Public Hearing and final reading date.

**SYNOPSIS:** If approved on final reading, Ordinance No. 2868 will rezone Lots 6 and 7, Block 244, Original Townsite, addressed as 626 4<sup>th</sup> Avenue North and located within the Great Falls Central Place Revitalization Plan Area, from its present R-E Residential-Existing to R-O Residential-Office zoning classification.

**BACKGROUND:** A petition has been received from property owners Bruce and Melinda Morison to rezone subject Lots 6 and 7 from Residential-Existing (R-E) District to Residential-Office (R-O) District to allow the existing single family residential structure on the premises to be converted for office use. Please refer to the attached vicinity zoning map.

The City-County Planning Board on December 9, 2003, conducted a public hearing on the Revitalization Plan Amendment. Individuals speaking in support of the rezoning were: Pete Fontana, 28 Treasure State Drive; Marjie McClellan, 612 4<sup>th</sup> Avenue North; John Kunz, 2 Volk Terrace; Sara Sexe, 3105 Kingwood Court; Melinda Morison, owner of subject property at 626 4<sup>th</sup> Avenue North; and Wayne Dean, 2625 Central Avenue. Individuals speaking in opposition to the rezoning were: Colette Longin, 617 4<sup>th</sup> Avenue North; Caroline Carter, 1124 4<sup>th</sup> Avenue North; David Fritschen, 317 3<sup>rd</sup> Street North; Kyle Larson, 601 4<sup>th</sup> Avenue North; and Nancy Sinclair, 617 3<sup>rd</sup> Avenue North.

In addition, numerous petitions and letters expressing both support and opposition to the rezoning have been submitted.

During Planning Board discussion of the application, some Board members thought the property would be difficult to sell as a single family residence and that conversion for office use would not be detrimental to the neighborhood. Other members thought approval would result in a spot zoning and establish precedence for similar applications and conversions gradually transitioning the neighborhood into non-residential uses.

At the conclusion of the hearing, the Board voted 3 to 3 on a motion to recommend the City Commission deny Ordinance No. 2868. As a result of the deadlock vote, the chairman announced the application would be forwarded to the City Commission with no recommendation from the Planning Board.

It is anticipated a copy of the Planning Staff Report and Recommendation with attachments, the Planning Board Hearing Minutes, and copies of all petitions and letters received to date will be provided to the Commission prior to the public hearing on January 20.

Attach: Ord. No. 2868  
Vicinity Zoning Map

cc w/o atch: Ladawna Nelson, 608 2<sup>nd</sup> Street South  
Bruce and Melinda Morison, PO Box 1714, Whitefish, MT 59937