

## EXCERPTS

### PLANNING AND ZONING COMMISSION MEETING

SEPTEMBER 6, 2018

MR. STRODTMAN: Our first public hearing. At this time, I would ask any Commissioner who has had any ex parte communications prior to this meeting related to Case 18-160, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us. I see none.

#### Case No. 18-160

**A request by Brian Page (applicant) on behalf of a group of homeowners within an area defined by the West Central Columbia Neighborhood Action Plan for approval to rezone 40 parcels from R-2 (Two-family Dwelling District) to R-1 (One-family Dwelling District), six parcels from R-MF (Multiple-family Dwelling) to R-1, and one parcel from R-MF to R-2.**

MR. STRODTMAN: May we have a staff report, please.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the requested rezoning to R-1 and R-2 as listed in the included table.

MR. STRODTMAN: Thank you, Mr. Smith. Commissioners, any questions of staff? I see none. We'll go ahead, and before I open up the public hearing portion, I just want to kind over a quick ground rule or a couple of ground rules. First off, to keep it -- first of all, would everybody like to stand up that's here for this particular case, just so I have a -- so we, as the Commissioners, have a good feel for who is here for this particular case? Thank you. Have a seat, please. Thank you. The reason I ask that is, I don't think it's necessary for all of you to come up here and speak. You're all welcome to come up here and speak. We'll be here as long as it takes to hear everyone, but -- but I don't think it's going to be necessary. Obviously, we would love for the applicant, Brian Page, to come forward and we'll give Brian -- typically we would give a speaker three minutes. But due to the large group of people, we'll use Brian as kind of the -- potentially the spokesperson for the majority of the group since he's the applicant, and we'll give Brian up to six minutes to speak. And then anyone after that, we will hold that line to three minutes. You know, and obviously, we would like to hear anything that's special or different, unique, and not the same thing over and over. So if you do want to come forward, we would obviously welcome that and encourage it. We have had one of these come through recently, and so we are all as a Commission fairly familiar with a similar process that we've gone through recently. And so I think it's -- we're ready and willing to listen to everyone. But I just kind of wanted to go over those ground rules before we got started. Also, when you come up, we ask for your name and address, and then we will give the floor to you. If you see this little red light on the podium here, that's -- your time has run out and we would ask you to wrap it up and let the next speaker come forward. So with that, we'll go ahead and open it up. Oh, sorry. Before I open it up we have a question. Yes, Mr. Toohey?

MR. TOOHEY: Should we go over ex parte?

MR. STRODTMAN: Oh, yes. Sorry. Is there -- I thought I did. Did I not? Is there one with an ex

parte related to this case, 18-160? Mr. Toohey, did you have ex parte discussion?

MR. TOOHEY: Oh, yes, I do. I happened to by accident have a meeting with one of the people who resides in one of these properties earlier this morning, but this subject was not brought up.

MR. STRODTMAN: Thank you, Mr. Toohey. Anyone else have any ex parte? Thank you. So with that, we'll go ahead and open up the public hearing and give your name and address.

### **PUBLIC HEARING OPENED**

MR. PAGE: Good evening, Commissioners, Mr. Zenner, Mr. Smith. I'm Brian Page, and I live at 17 Aldeah. Thank you, Mr. Smith, for processing our application and all your support. We need your help for preserving our app-- for -- we need your help to preserve our homes and our neighborhood. Your approval will help us maintain the integrity of the neighborhood's durable, smart growth, urban design. The history of our older homes started over 100 years ago. The majority of our homes are small bungalows on lots 50 feet wide. Come see for yourselves. We have density. All but one of the properties are in the same watershed which descends into a floodplain. Our drainage goes first to Flat Branch Creek and then to Hinkson Creek. Your approval tonight will also affirm the West Central Columbia Neighborhood Action Plan. We appreciate all the collaboration between the Community Development Department and the stakeholder residents and neighborhood associations. The Planning and Zoning Commission and City Council unanimously approved our neighborhood plan. We feel responsible for our homes and our neighborhood. We are here to preserve these good homes that just keep serving. Whether owner occupied or rentals, our homes will continue to serve into the future. All properties are located at the east end of the future land-use map. Our area is walkable. From our house, we can walk to the library in five minutes, to Lucky's in ten, and to the MKT in less than twenty. Note the yellow area on the map is designated single-family residential. Our neighborhood is fluid as students graduate and young families outgrow their homes and move on. We have longevity, also. Tom's family moved here in 1944, Betty moved here in 1962, and I haven't learned all the stories. My wife and I bought our house in 1989, and it was built in 1933. And with our attention, it is in better shape than ever before. Many of our neighbors continue to improve their homes. We continue to protect our home from flooding as it is in the floodplain, with climate change and our experience, inform our due diligence. During an intense rain event in 1995, there was 18 inches of flood water around our house when a storm-water conduit was overrun. Two hundred years ago, Smithton settlement was located at the southeast corner of our West Central neighborhood. I was touched by Tom DeMarch's testimonial. Please witness how she and feel -- how she and we feel about our homes. You can see in Kim and Eric Schwartz's testimony that they've put a lot of work into their -- into improving their house at 21 Aldeah. We take pride in where we live. Do you have any questions for me?

MR. STRODTMAN: Thank you, Mr. Page. Commissioners, are there any questions for this speaker? I see none, sir. Thank you for your time.

MR. PAGE: Thank you.

MR. STRODTMAN: I would also for clarification want to let the group know that we have

received some correspondence maybe from some of the group that -- some of the individuals that are in the group. We have received maybe -- I'm not sure of the exact number -- three or four. We received one this evening from a Kay Foley, so we have received -- several email correspondences that was sent to staff was given to us, so you can rest assured that we also received those, just so everybody knew that. So we welcome the next speaker that would come -- that would like to come forward this evening.

MS. BRISCOE: I'm Cannie Briscoe; I live at number 10 Aldeah. My husband and I have been there for 27 years. We raised our children there; our grandchildren now visit. We've done a lot of work on our home, and we love our home and we love our neighborhood. As Brian mentioned, we've seen a lot of young families, neighbors come and go. We feel safe there, and it's -- it's a good neighborhood. Even with the rental property, that's never been an issue. It's just a good neighborhood to live in and we'd like to keep it that way. So we'd like to die there. So not to be morbid, but --

MR. STRODTMAN: Hopefully, that's a long time from now too.

MS. BRISCOE: That's a long time from now.

MR. STRODTMAN: Make it 27 more years.

MS. BRISCOE: Yeah. Yeah. At 27 more years, but -- yeah. We love where we live, so anyway, please don't take that away from us.

MR. STRODTMAN: We hope not to do that, Ms. Briscoe. Commissioners, any questions for Ms. Briscoe?

MS. BRISCOE: Oh.

MR. STRODTMAN: No. We don't have any, so thank you.

MS. LUCHT: Hello. My name is Jill Lucht, and I live 100 Aldeah. And I just -- I will reiterate one thing in that we love our home and we love our neighborhood. We moved in in 2008, and we recently remodeled our home from a two-bedroom, one-bath bungalow to a three-bedroom, two-bath bungalow. And so I just wanted to share that with you so that you know the people in the neighborhood really are improving their properties, and that we need to keep our current footprint, however, because we do have flooding issues in our neighborhood. So doing the R-1 downzoning would help us preserve our storm water -- well, not make it worse. And then just keep it the nice -- the nice, lovely neighborhood that we have. That's it.

MR. STRODTMAN: Thank you. Commissioners, any questions?

MR. TOOHEY: I have a question.

MR. STRODTMAN: Mr. Toohey?

MR. TOOHEY: So why do you think keeping it R-1 will help control the flooding?

MS. LUCHT: I think because R-1 helps us keep all the permeable surface, so if we -- if we had multi-family units or duplexes in the area, there would be more impervious surface, so the storm-water issue would be complicated by that.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. And, full disclosure, I know most of you and most of

you know me.

MS. LUCHT: Yes.

MR. MACMANN: And I have worked on quite a few of your homes, but we have not discussed this at all. To follow up on Commissioner Toohey's point, in your home when it rains -- and I'm going to the need to maintain low density here.

MS. LUCHT: Uh-huh.

MR. STRODTMAN: In your home when it rains, can you flush the toilet?

MS. LUCHT: Often not.

MR. MACMANN: Often not. And that's because of the infiltration behind you?

MS. LUCHT: Right. Infiltration --

MR. MACMANN: And the storm water -- (inaudible).

MS. LUCHT: Uh-huh.

MR. MACMANN: So this area -- and I can verify some of this. I'm just clarifying here. This area really could not take much more densification and the lots are all full if I --

MS. LUCHT: The lots that are being downzoned are full.

MR. MACMANN: Other than Mr. Alexander's lot on the corner?

MS. LUCHT: Right.

MR. MACMANN: And the width of your all's lot, I don't exactly remember?

MS. LUCHT: Is it 60 or 50?

UNKNOWN SPEAKER: Fifty.

MS. LUCHT: It's 50.

MR. MACMANN: It's 50, and the depth of your lot?

MS. LUCHT: A hundred and --

UNKNOWN SPEAKER: Twenty.

MS. LUCHT: -- twenty.

MR. MACMANN: A hundred and twenty. And the reason I ask that question and I don't need you all to shout. Most of you can just kind of nod. Most of your all's lots are about the same size; is that correct? And I'll let you know that 50 times 120 is 6,000. These lots couldn't be torn down and rebuilt because they're too small for other development. I just wanted to kind of strike on those points. Thank you very much, Ms. Lucht.

MS. LUCHT: Yeah. Thank you.

MR. STRODTMAN: Any additional questions? Thank you, Ms. Lucht.

MR. TOOHEY: Are all these houses in the floodplain?

MS. LUCHT: Well, I can see that mine is. I don't know how --

MR. STRODTMAN: Well, only you -- unfortunately only you can speak anyway.

MS. LUCHT: Right. Okay. So I -- mine is, yes. And a lot of homes in right next to ours do flood in heavy rain events.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: To speak generally to Commissioner Toohey's issue, and I'm sure someone here will correct me. On this Ms. Lucht's side of the street, the east side of the street, those homes are in the floodplain. Across the street, they are generally not, but that's not 100 percent true.

MR. STRODTMAN: Thank you, ma'am.

MS. LUCHT: Thank you.

MR. STRODTMAN: The next speaker, please?

MS. PLEMMONS: My name is Gail Plemmons; I live at 17 Aldeah, and my home is in the floodplain, as a matter of fact. And this was disclosed to us when we bought our house. Part of the reason we bought our house is because it is right next to the storm creek and we wanted to help preserve that, so we are definitely in that floodplain. I wanted to tell you just a little bit about our West Ash Homeowners Association. It's very active. We meet to discuss concerns and plan activities. In August, we hosted our annual Night Out Against Crime at Montessori School. This spring, we met with the health department to talk about the weed ordinance, which is now under revision. In June, we held a pollinator day at Montessori School again where we exchanged native plants and educated ourselves about how to attract birds, bees, and butterflies to our yards. Our old neighborhood is an example of modern urbanism. We understand, as I hope you do, that people are happier and healthier when they are close to nature. The storm-water creek flowing from Ash to Aldeah next to my house has been preserved by us. The mature trees and plants along that natural area welcome deer, owls, hawk, and the occasional coyote. We know our neighbors and -- some people doubt me. We know our neighbors and we have no problems getting someone to feed our cat or water our tomatoes when we're out of town. Help us preserve our sense of belonging. Thank you.

MR. STRODTMAN: Thank you. Commissioners, questions for this speaker? I see none. Thank you, ma'am. We love to hear the stories about the neighbors loving everyone. Anyone else like to come forward? We'll go ahead --

MS. OERLY: I'll be brief. My name is Diane Oerly. I don't live in this area, I live by Albert Oakland Park. I'm the president of my neighborhood association, Oakland Manor Neighborhood Association, and I'm here to congratulate this community of people who care so much about their homes that they're making the effort to make our community plan come true. And I wanted to thank each and every one of you for the tireless time and energy and effort you contribute to making our community nice. I want to congratulate their leadership. I know that it's not easy to get 47 people moving in the same direction and especially when it's the direction the City wants us all to go. So thank you all for your effort, and I think it's a wonderful neighborhood.

MR. STRODTMAN: That's great to hear. Thank you. Commissioners, any questions for this speaker? I see none. It's wonderful to have another neighborhood association compliment this one, so that's pretty cool. That's the first time that's happened. We'll go ahead and close it -- if you want to come forward, you have to come forward to the podium. Give us your name and address.

MR. WILSON: I'm Lewis Wilson; I live at 404 West Broadway, which, on the map, is roughly directly across the area under consideration. I'm in R-1 zoning. I've lived there since 2000. I'm undertaking an expensive and slow and painstaking renovation of my house, and I feel that this proposal to rezone will enhance my property value. I -- since I moved there in 2000, I've always been concerned about the -- the amount of R-2 zoning within any reasonable business of my home. And the more R-1 I see in that area, the better I feel about it, and I'll take any questions.

MR. STRODTMAN: Thank you, Mr. Wilson. Commissioners, any questions for this speaker? I see none. Thank you, Mr. Wilson.

MR. WILSON: Thank you.

MR. STRODTMAN: Anyone else like to come forward? We'll go ahead and close the public hearing this evening.

### **PUBLIC HEARING CLOSED**

MR. STRODTMAN: Commissioners, discussion, questions for staff, additional discussion needed? A motion? Mr. Stanton?

MR. STANTON: As it relates to 18-160, I move to approve all rezoning requests per table provided by staff.

MR. MACMANN: Second.

MR. STRODTMAN: Thank you. Commissioners, we have a motion by Mr. Stanton to approve Case 18-160. It received its proper second from Mr. MacMann. Do we have any discussion needed on this motion? I see none. Ms. Burns, when you're ready for a roll call, please.

MS. BURNS: Yes.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Ms. Loe, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Rushing, Mr. Toohey. Motion carries 8-0.**

MS. BURNS: Eight to zero, motion carries.

MR. STRODTMAN: Thank you, Ms. Burns, for that. Our recommendation for approval will be forwarded to City Council. City Council obviously has the authority to make the final decision, but our recommendation for approval will be forwarded to them. You guys are welcome to leave. I want to thank everyone for coming. I do really love to see the community support and as Ms. Oerly mentioned, I love the neighborhood association and I love the lists of all of the things you guys are doing, so keep it up and good luck to you guys in the future with the Council. We'll go ahead and let you guys clear the room, and -- unless you're welcome to stay. We have some pretty interesting cases, and we love to have the audience. But let them clear the room and we'll get started in just a second.