

EXCERPTS

PLANNING AND ZONING COMMISSION MINUTES

JUNE 18, 2020

Case Number 121-2020

A request by Crockett Engineer (agent) on behalf of On-the-Ninth, LLC and Nash Investments (owners) for approval of a major amendment to the On-the-Ninth at Old Hawthorne PD Plan located on property zoned PD (Planned Developed) to revise the Statement of Intent and reduce the distance between dwelling units from 16 feet to 12 feet. The 5.68-acre property is located on the east side of Old Hawthorne Drive West, approximately 1,300 feet north of Route WW.

MS. LOE: 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 major amendment to the On the Ninth PD plan and the revised Statement of Intent.

MS. LOE: Thank you, Mr. Smith. Are there any -- oh. Before we move to questions, I would like to ask Commissioners if there is anyone who has had any ex parte related to this case to please disclose that now so we all have the same information in front of us. Seeing none. Is there any questions for staff? Ms. Rushing?

MS. RUSHING: I notice that the intent is to preserve 40 percent in green space. And the developed portion and including the new three units; is that correct?

MR. SMITH: Correct.

MS. RUSHING: Occupying a lot of concrete. Is there going to be substantial green space in the undeveloped area?

MR. SMITH: Yeah. You can see, I think, in the northern portion, there's a -- there's a fairly substantial green space.

MS. RUSHING: Yeah. There's a little, tiny part, and then --

MR. SMITH: Yeah. And --

MS. RUSHING: But it looks like the green space along the east side is not on this property.

MR. SMITH: Uh-huh.

MS. RUSHING: So, again, you know, that little triangle up there doesn't look like 40 percent.

MR. SMITH: Well, we have the numbers on here, so I can double-check on what they're showing as open space calculation, because I think I cut that off on ours.

MS. RUSHING: Yeah. What you've shown shows their old plan on that -- the semicircle area.

MR. SMITH: Right.

MS. RUSHING: My understanding, that's now five single-family lots?

MR. SMITH: Correct.

MS. RUSHING: Yeah.

MR. SMITH: In the middle there, in the interior bunker loop. And so the plan here on the left, which I didn't capture in the screen shot, and my apologies, is pervious surface would still be about 57 percent. And we do have to do some estimations because we don't have a specific footprint for the single-family, but we use a common number to kind of come up with that. But they, according to those calculations, they're well within the 40 percent minimum of open space.

MS. LOE: Any additional questions, Ms. Rushing? Any additional questions? Mr. Smith, I had -- this could be housekeeping, but I was wondering about the 28th unit.

MR. SMITH: I'm sorry. Could you repeat that?

MS. LOE: The 28th unit?

MR. SMITH: Twenty-eighth unit.

MS. LOE: Like the third man. Where did it go? So the original plan, we had a four-plex or four?

MR. SMITH: Yes. Uh-huh.

MS. LOE: And we went to three, so one unit moved somewhere?

MR. SMITH: Correct.

MS. LOE: Where?

MR. SMITH: They -- well, they eliminated it. Is it still captured on the plan?

MS. LOE: So it's still captured in the density calculations.

MR. SMITH: Okay. That was probably an oversight.

MS. LOE: So it's for 27 units now? All right.

MR. SMITH: Uh-huh. Yeah. One unit was eliminated, so we'd have to look at that and get that updated, but we could probably do that.

MS. LOE: If there's no additional questions for staff, we'll open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: Please give your name and address for the record.

MR. BUTCHER: I'm David Butcher with Crockett Engineering, 1000 West Nifong. I do have a question about our density. We may have had a four-plex in that D, and now we have five single-family lots, taking that one unit from across the street into that D instead of -- because, originally, that had a four-plex on it, I believe.

MR. SMITH: It had two four-plexes.

MR. ZENNER: Two four-plexes.

MR. BUTCHER: Oh, did it?

MR. SMITH: Yeah.

MR. BUTCHER: So we've already reduced it once and -- all right. Then that's just an error or oversight. We'll get it fixed.

MS. RUSHING: You're saying you're -- the two four-plexes that it is showing are the ones that you're planning to build?

MR. BUTCHER: No. Everything is already built out on this property with the exception of the

darkened highlighted three-plex that's at the southwest corner, and then the single-family lots that have already been platted. Those single-family lots will end up with a house on them.

MS. RUSHING: Okay. So they'll each have a single house?

MR. BUTCHER: Yes. In the -- in the circle in the D shaped --

MS. RUSHING: So what four-plex are you talking about?

MR. BUTCHER: Originally, the plan prior to this one --

MS. RUSHING: Oh, right. Right.

MR. BUTCHER: -- we only had four-plexes in that.

MS. RUSHING: Right. Right.

MR. BUTCHER: So we've reduced that so that it's just those single-family homes.

MS. RUSHING: Correct. Okay.

MR. BUTCHER: Anyway, this is a housekeeping matter really. Our objective is just to reduce that to -- to match the normal single-family residential style. And it was an oversight on my part that we had that in the -- in the regulation on the statement of intent from originally, so the objective is just to allow us to build a little -- those homes in there like anyone else would on the rest of the single-family lots. Is that clear? I'm kind of juggling a little bit in my verbiage here.

MS. LOE: Are there any questions for this speaker? I see none. Thank you. Are there any other speakers on this case? Seeing none, we will close public comments.

PUBLIC HEARING CLOSED

MS. LOE: Commissioner, discussion? Mr. MacMann?

MR. MACMANN: A housekeeping notice here. I'd like to thank the Chair for the Graham Greene reference. I really appreciate that. Thank you.

MS. LOE: So the real issue is the setbacks. Correct. All right. If there's no further discussion, Ms. Russell?

MS. RUSSELL: All right. In the -- I'll make a motion. In the case of 121-2020, On-the-Ninth PD Plan amendment, I move to approve.

MS. BURNS: Second.

MS. LOE: Second by Ms. Burns. We have a motion on the floor. Any discussion on that motion? Mr. MacMann?

MR. MACMANN: Just real quick and more seriously this time. I just -- a heads up. In the future, I will be generally supportive of anything that reduces lot size. Just FYI. Thanks.

MS. LOE: Any additional comments? Seeing none. Ms. Burns, may we have roll call, please.

MS. BURNS: Yes.

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

MS. BURNS: Eight to zero, motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council. That closes our cases for the evening.