

MINUTES
HEIGHT IN RESIDENTIAL DISTRICTS STAKEHOLDER GROUP
9-17-09

Stakeholders In Attendance:

Carol Scally	Rusty Bryson	Natalie Beard	Caroline Tate
Dana Grigg	Phil Bosche	Susan Lindsay	Leslie Dwyer
Rebecca Anderson	Bill Nichols	Jeanne Woosley	Hollis Nixon-Meadows
Janelle Travis	Andy Munn	Katie Zender	Brian Fincher
Jennings Snider	Bob Williams	George Warren	Miriam Martin
Wilna Eury	John Fryday	Sandy Weathersbee	Louise Barden
Evelyn Gerdes	Chad Hagler	Peter Tart	Barbara Highfill
Mary Boyd			

Staff In Attendance:

Katrina Young, Planning Department	Laura Harmon, Planning Department	John Howard, Planning Department
Sonda Kennedy, Planning Department	Sandra Montgomery, Planning Department	Barry Mosley, Planning Department
Solomon Fortune, Planning Department	Shad Spencer, Planning Department	Tim Manes, Planning Department

Katrina Young welcomed everyone to the meeting, which began at 6:10 p.m. Ms. Young introduced herself, and asked everyone to introduce themselves, as there were some new stakeholders in attendance.

I. Recap Ground Rules and Process

Ms. Young reviewed the ground rules with the stakeholders and asked that stakeholders abide by these rules. The final product of the stakeholders group may be a recommended text amendment to the Zoning Ordinance. If stakeholders disagree with the final recommendation, then they are welcome to file a minority opinion that will be attached to the text amendment.

II. Background Information – Case that Brought Us Here

Ms. Young stated that the case that started the discussion about heights was located at 2001 Queens Road West. The property was zoned R-22MF, and located in Myers Park Neighborhood. The developer, Boulevard Company, submitted a proposal for permit review that showed a 19 unit, 11-story residential building on October 31, 2007.

A month later, Myers Park Homeowners Association filed a rezoning petition (2008-032) to rezone the property at 2001 Queens Road West, along with 40 other acres within Myers Park from R-22MF to R-8MF. The height regulations in these two districts are the same, but the neighborhood association hoped that by reducing the maximum number of units allowed, that the height would be reduced.

In January of 2008, the Boulevard Company sent a letter requesting the City to withhold the approval of the first development proposal.

In July of 2008, the Boulevard Company filed a rezoning petition (2008-134) requesting that the property at 2100 Queens Road West be rezoned from R-22MF to UR-3(CD). The site plan indicated the number of units would increase from 19 to 42, and the maximum height would be 90'. In November 2007, the City Council denied the rezoning.

The Boulevard Company filed a second site plan proposal for the property that called for 19 units, with a 63' height maximum, in March of 2009.

In the meanwhile, the public hearing for rezoning petition 208-032 was held on July 20, 2009. City Council directed staff to provide alternative ways to address the height issue other than through rezoning. Staff has responded by the formation of this stakeholder group to develop a process to study height in residential districts.

III. *Summary of Stakeholder Issues*

Ms. Young summarized the stakeholder issues identified at the last meeting, and posted on the website. These issues were categorized into four categories: 1) Different requirements for different uses, 2) Adjacent uses and properties, 3) Road classification, and 4) Other. She reviewed the issues brought up by stakeholders under each category.

IV. *Height Regulations in Other Jurisdictions*

Ms. Young summarized the research staff had conducted since the last meeting of various jurisdiction regulations regarding height for single family and multi-family structures. This information is summarized on an attachment, and posted on the web. Cities researched include Austin, Baltimore, Dallas, Jacksonville, Nashville, Phoenix, Raleigh, and Richmond.

V. *Standards For Group Discussion*

Ms. Young asked the stakeholder group for help in determining what the issue is with height. Is it that the building is too tall, no matter where it is located? Or, is the building too close to single family to be so tall?

Stakeholder comments and questions included:

If there is an exhaust of fire below the roof of a neighboring structure, is that a fire hazard?

NODA does not support changing the height requirements from the existing regulations.

If a solution to the height problem is not reached, Myers Park will probably file their own text amendment for an overlay district to address heights.

Please provide a clarification to the stakeholders of what the directive was from the Mayor and City Council.

The eastside neighborhoods are concerned about height impacts, and want protection.

Can height regulations be set for each neighborhood through separate stakeholder processes?

Provide a list of stakeholder names and the organization or neighborhood they represent.

Request that a map of all the neighborhoods in the City be available at the next meeting.

VI. Break-out Groups

Ms. Young suggested two standards for discussion in the group breakout sessions:

Decrease the single family structure maximum height from 40' to 35'.

Add a provision for a height plane that allows:

- New development across a local street from existing single family zoning to have a base height of 40' (or 35'), measured at the setback line. The height may increase one foot in height, over the base height for every ten feet in distance the portion of the building is from the required setback along that street.
- New development abutting on the same side of the street as existing single family zoning to have a base height of 40' (or 35'), measured at the required yard. The height may increase one foot in height, over the base height for every ten feet in distance the portion of the building is from the required yard.
- For all other parcels, the permitted maximum height would be determined by the distance from the structure to the boundary line of the nearest single family district. Height increases again would be allowed at a rate of one foot in height, over the base height for every ten feet of additional distance the portion of the building is from nearby single family zoning districts.

The three break-out groups should address the following questions and then select a person from the group to present the results to the entire group at the end. The questions were:

How do the proposed regulations address these issues?

What are the pros and cons of these proposed solutions?

Are there other height issues that should be considered that are not covered by these solutions?

VII. Group Discussion.

Each of the three break-out groups reported back to the full stakeholder group. These results will be categorized and tabulated for the next meeting. Stakeholders were asked to take three green dot stickers and place them next to the statements from the three groups that they most agreed with. The three blue stickers were to be placed by statements that they did not support.

VIII. Next Steps

Ms. Young thanked everyone for their participation. The information received from tonight's meeting will be tabulated and provided at the next meeting on October 1, 2009.

The meeting was adjourned at 8:10 p.m.