

# PLANNING AND ZONING COMMITTEE MINUTES

December 1, 2015

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## **In Attendance**

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Councilman Yusuf Hakeem, Committee Chair, called the meeting to order at 4:05 p.m. A quorum was present, including Council Chairwoman Carol Berz, Vice Chair Moses Freeman and Council members Chris Anderson, Russell Gilbert, Larry Grohn, Chip Henderson, Jerry Mitchell and Ken Smith. City Attorney Wade Hinton was also present.

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## **Others in Attendance**

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Regional Planning: John Bridger, Executive Director; Transportation: Blythe Bailey, Administrator; Economic and Community Development: Gary Hilbert, Director, Land Development; Council Office: Council Clerk, Nicole Gwyn, CMC

## **THIS WEEK'S AGENDA: December 1, 2015**

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### **Ordinances (Final Reading) - Agenda Item 5A**

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This item had already gone through a first reading on November 10 and was deferred until tonight's agenda. At the request of Councilman Anderson, the Council agreed to hear this matter tonight at the Council meeting instead of in committee today.

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## **NEXT WEEK'S AGENDA: December 8, 2015**

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### **Ordinances (First Reading) - Agenda Item 6B**

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Mr. Bridger made a presentation on this agenda item. Councilman Henderson commended the developer for present this rezoning to him and the neighborhood first before proceeding to Planning. Mr. Bailey was asked to speak on the "no parking" enforcement in this area. He also indicated that he would ask his review staff about how long the area could sustain street parking.

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### **Ordinances (First Reading) - Agenda Item 6C**

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Mr. Bridger made a presentation on this agenda item and responded to a question from Councilman Grohn asked about the increase in traffic in this area.

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**Ordinances (First Reading) - Agenda Item 6D**

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Mr. Bridger made a presentation on this agenda item and responded to a question on how properties are configured. Chairwoman Berz said there were several people in opposition to this rezoning and recommended that it be denied.

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**Ordinances (First Reading) - Agenda Item 6E**

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Mr. Bridger made a presentation on this agenda item and indicated that no conditions had been added by Planning or Staff.

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**Ordinances (First Reading) - Agenda Item 6F**

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Mr. Bridger made a presentation on this agenda item and gave a follow-up to a transportation study requested by Councilman Anderson. He also confirmed for Councilman Anderson that all business activity currently taking place on the property would continue after the rezoning.

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**Ordinances (First Reading) - Agenda Item 6G**

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Mr. Bridger made a presentation on this agenda item. He noted that there was an error in the caption and asked the City Attorney to change the references from "C-2" to "C-3" zoning.

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**Ordinances (First Reading) - Agenda Item 6H**

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Mr. Bridger made a presentation on this agenda item and indicated that there had been no opposition at the Planning Commission. He noted that the Planning Commission recommended approving this rezoning in a split vote of 9-to-4. Councilman Freeman noted noise complaints about the alleyway behind the site. Chairwoman Berz asked about the conditions relative to noise and what would constitute a "nuisance."

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**Ordinances (First Reading) - Agenda Item 6I**

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Mr. Bridger made a presentation on this agenda item. He explained that there were two properties within this zoning area, and that the Applicant of the largest property agreed to seek M-1 rezoning at the request of the owner of the second, smaller property.

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**Ordinances (First Reading) - Agenda Item 6J**

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Mr. Bridger made a presentation on this agenda item and informed the Council that the property owners would like to open a short-term vacation home in their permanent residence. He indicated that the only two options were R-3 or R-4 zoning, so R-3 was chosen. Councilman Gilbert asked Councilman Hakeem about how District 9 was responding to this rezoning case.

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**Ordinances (First Reading) - Agenda Item 6K**

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Mr. Bridger briefed the Council on this item and the new definition for “alternative financial service.” Attorney Hinton informed the Council that this would not retroactively apply to businesses.

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**Resolutions – Agenda Item 7A**

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Mr. Bridger briefed the Council on this item discussed this residential Planned Unit Development. Councilman Hakeem asked that recommendations by the Planning Commission and his staff be added to the notations for resolutions such as this. Mike Price of MAP Engineers, the developer, was given an opportunity to respond to comments from Councilman Grohn on the left turn access denied on Mackey Avenue.

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**Resolutions – Agenda Item 7B**

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Mr. Bridger briefed the Council on this item. Councilman Grohn stated that he would get with CDOT about asking the developer for Lot 28 and 29 to continue the widening all the way to the corner.

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**Other Business**

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Vice Chair Freeman informed the Council that the Board of Zoning Appeals had granted special exceptions today to modify a condition on a case already approved by the Council. Mr. Bridger clarified that the Board could not modify a condition imposed by the Council.

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**Adjournment**

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On motion of Councilman Hakeem, the meeting was adjourned at 5:00 p.m.