

Cherrywood Neighborhood Association
Planning and Zoning Committee Meeting Notes
 November 12, 2007, 6:30 PM
 Taqueria Los Altos (32nd St. and IH-35)
 Prepared by Glenn Reed, Committee Co-chair

Attendees:

Girard Kinney, Committee Co-chair	5 Kern Ramble	472-5572
Glenn Reed, Committee Co-chair	3007 Lafayette	636-2655
Catherine Carpenter	3209 Lafayette	
Clark Boykin	2700 Manor Road	
Julie Winckler	3203 Merrie Lynn	473-0791
Amy Brotman	1404 Concordia	589-8545
Mark & Beverly Schiff	3207 French Place	478-3420
Michael Bray	3308 Randolph	499-8784
Martin Barrera	3714 Robinson	494-1545
Emily Bankston	3510 Werner	299-1644
Harold Cook	3710 Cherrywood	477-4649
Dorothy Wade	3005 Breeze Terrace	426-3063
Guests:		
Rick Vasquez	Vincent Gerard & Associates	328-2693
Vincent Hebinger	Vincent Gerard & Associates	328-2693
Jim and Rodney Bennett	Bennett Consulting	784-4961

Agenda items and current discussions/recommendations:

1) CNA process for zoning changes

Girard Kinney provided a brief overview of the established process for seeking CNA support for zoning changes or other land use and development issues.

2) Status of CNA application for zoning changes to allow VMU

Over a period of several months the P&Z committee tackled the issue of Vertical Mixed Use zoning, concluding that the neighborhood would benefit from having this special designation applied to 12 properties along Manor Road and IH-35. Because only commercially zoned properties are eligible for VMU, CNA submitted an application to the City to “upzone” the 12 subject properties from their current MF (multi-family) zoning category to GO-MU (General Office – Mixed Use), the most restrictive commercial zoning under which VMU is allowed. It is expected that this zoning change will be readily approved.

VMU is a voluntary incentive program to encourage more pedestrian friendly and neighborhood oriented design and property use. Part of the intent of encouraging VMU is to retain residential uses, including affordable housing, on the subject properties. Girard Kinney recently identified an unintended consequence of the requested zoning change

from MF to GO-MU – that if a property owner chooses NOT to opt for VMU, the property could be developed as a pure commercial use under the base GO zoning and could lose its residential component.

Girard has been in contact with the City seeking a way to close this gap between what the neighborhood intended and what might actually occur. This is a “deal breaker” issue, meaning that if it cannot be resolved then the application for the zoning change would be withdrawn or, if too late to be withdrawn, opposed by the neighborhood.

3) Possible Core Transit Corridor designation for Manor Road and Airport Blvd.

At issue was whether to request that these two roads be upgraded from “Future Core Transit Corridor” designation to “Core Transit Corridor” designation. Michael Bray and Girard Kinney clarified that these designations affect how the properties along these streets must be developed to accommodate future public transit. These designations have no direct effect on automobile traffic volume, speed, or patterns.

Unlike VMU this is not an incentive-based program but rather a set of legal requirements concerning how properties must be developed in terms of their relationship to the street (parking locations, street amenities such as trees and other shading devices, distance from the building facade to the public way, etc.) The change from “Future Core Transit Corridor” designation to “Core Transit Corridor” designation would require more of these amenities, making the development of these properties incrementally more expensive to the developer.

No recommendation was made at this meeting. Discussion of this item will continue at the next meeting.

4) Zoning change request for 1106 and 1110 East 30th St.

This was a follow-up to a discussion and applicant presentation at the previous meeting. The owners of the subject properties near the intersection of 30th St. and IH-35 wish to change the zoning of these properties from MF to GO. They have cited several reasons for this request:

- To alleviate current tenant issues related to the heavy traffic and parking volume generated by the People’s Community Clinic across the street.
- To meet the regulatory requirements to allow the height of the cell tower on the site at the corner of IH-35 and 30th St. to be increased by 20 feet, thereby allowing additional cell phone carriers to use the tower.
- To increase revenue generation of these properties to offset increasing property taxes and operating expenses.

The applicant provided a packet of information that included photographs, graphics, and a letter from the property owners describing their commitment to neighborhood interests and their intention to develop the two sites into medical offices (in the existing residential structures) with off street parking.

The committee expressed concern about commercial development of any kind moving eastward into the residential part of the neighborhood, the possible incompatible uses that the zoning change would allow, and the desire to avoid exacerbating the existing parking

problems associated with the inadequate parking provided by the People's Community Clinic.

The committee took no action on the applicant's request, but asked that the applicant provide the following information at a future meeting:

1. Information about the health effects, if any, of living in proximity to a cell tower of this height and type.
2. Feedback from the occupants of the two houses on 31st Street adjacent to the site, to be gathered using the standard form provided with the CNA Design Guidelines.
3. The property owners' openness to supporting or perhaps sponsoring a residential parking program along 30th and Robinson adjacent to the site.

5) Neighborhood vision for 38.5 Street

A pending request for neighborhood support of a zoning change for the residential property at the 3717 Robinson (see below) was the catalyst for a broader discussion about the future of 38.5 Street between the railroad tracks and IH-35. Following a spirited and thoughtful discussion, the committee voted unanimously to immediately begin developing a comprehensive plan for this section of 38.5 Street. The purpose of this effort will be:

1. To establish a consistent framework within which to consider future zoning change requests or other issues concerning the properties along this portion of 38.5 St.
2. To demonstrate to the City and future applicants the neighborhood's continuing commitment to utilizing a rational, methodical, and participatory process for arriving at its positions on such requests.

6) Zoning change for 3717 Robinson

The applicant is requesting the neighborhood's support for a zoning change from MF to GO for the property at 3717 Robinson, and had made a presentation at the previous P&Z committee meeting. The committee had requested that the applicant follow up on several issues, which they presented at this meeting:

1. *Confirm the off-street parking requirements for the proposed zoning and demonstrate that such parking could be accommodated on the property without locating parking in the front yard.*

The applicant determined that 4 off street spaces would be required, and provided a sketch showing the proposed parking arrangement that would meet the committee's conditions. Although the sketch was schematic in nature, it appeared to be workable.

2. *Inquire whether the owner would consider the more restrictive LO zoning rather than GO, which would eliminate the possibility of one of the proposed uses – a hair salon.*

The applicant reported that the owner is not amenable to seeking LO zoning.

3. *Seek feedback from the immediate neighbors using the form provided as part of the CNA Design Guidelines.*

The applicant indicated that they had been unable to secure feedback from any of the other neighbors during the time period since the last meeting.

Primarily because of the committee's new initiative to develop a long-range vision for this section of 38.5 St., the committee voted not to support the requested zoning change at this time. The rationale was that the vision/plan for the street must be established first, so that this and future requests may be considered within the context of that vision.

END