

Unapproved Draft Minutes

Meeting of the Planning and Zoning Commission for Thursday, May 10, 2012.

The meeting was called to order by Chairman Patt Olsen at 7:00 p.m. Present were Dale Hughes, Don Bagley, Guy Lee, Farris Sanders, and Tim Grenke. Also attending were Lynn Behrns, Boyd Ware, Gerry Dollens, Creig Anderson and Cayla Anderson.

Those present recited the Pledge of Allegiance.

Bagley moved approval of the minutes of April 5, 2012. Sanders seconded the motion. The question was called. All members present voted "aye". There were no "nay" votes, and the motion carried.

Behrns presented a request from Jamie Enyart to rezone the property at 316 West Bruton Street from R-1 (Single-Family Dwelling District) to R-3 (Multi-family Dwelling District). A small single-family residence presently sits on the property. The request is made to facilitate purchase of the site by Boyd Ware in order for Ware to construct a large, two-story duplex. Ware actually is proposing to also purchase the property at 402 W. Bruton and build the duplex across the line between the properties. That site was rezoned to R-3 late last year. The property north across Bruton Street is all zoned R-3. The adjacent property to the south across the alley is all zoned R-1. An advertisement was placed in the April 25, 2012 issue of the Centralia Fireside Guard. A second public hearing is scheduled for the regular meeting of the Board of Aldermen on May 21, 2012.

Olsen opened a hearing for public comment on the application.

Anderson presented a petition signed by him and six other owners of property within 180 feet of the subject property. They all objected to the rezoning to R-3.

Anderson said he was worried that rezoning would allow construction of apartments or a four-plex, which would lower his property value. He has put considerable investment into improvements of his home. He would not oppose Ware if only a duplex was being proposed, and he believes that other signers of the petition feel same. Anderson felt that notice in paper was not sufficient warning to the neighbors. He did not realize that the lot next to the railroad owned by Melody Harper had already been rezoned to R-3. He said Harper did not really want a four-plex on the lot. That suggestion came from her real estate agent.

[As a sidebar to the discussion, Behrns was asked to place a large yard sign to give more notice to adjacent owners. This would supplement the notice in the newspaper and notices on City's web page. The signs would be like those for conditional use permit requests. Behrns would do this for all rezoning hearings henceforth and this procedure could be added to Zoning Code the next time the Commission recommends Code amendments to Board of Aldermen.]

Anderson also cited a concern that intensive development would create more storm water problems. He suggested that the City should have required an engineered storm water impact study. A friend of his told him that this was a federal requirement. Behrns disagreed and also said such a requirement was not in the City Code. Anderson said he worried about the narrowness of Bruton Street where it crosses the COLT railroad tracks. There are no sidewalks and this is a hazard to pedestrians. Building more housing units might mean more walkers.

Ware and Dollens agreed that Ware's plan could be accomplished with R-2 zoning. A duplex on property zoned both R-3 and R-2 would not be a problem and no more intensive than two single-family residences, one on each lot. However, retaining R-3 zoning for 402 could open the door in the distant future to replacement by apartment on the west lot and still site a duplex on the Enyart lot. Ware said he really want building to be upscale. Dollens said it was hard to find a site that is properly zoned and also not adjacent to existing, less-desirable uses.

Anderson asked that the City rezone the 402 property back to R-2. Behrns said that the City should not do that unless Harper requested it, or someone like Ware were to purchase it and then request the more restrictive zoning. For the City to do unilaterally, would constitute a "taking" and might make the City liable for monetary damages.

Behrns noted that LeeAllen Smith said he favor the request or some lesser compromise.

Olsen closed the hearing for this evening and the Commission briefly discussed the issue. Behrns asked if Anderson could get a companion petition reflecting the signers opinion about rezoning 316 only to R-2 Bagley said that while this could be considered spot zoning, was willing to consider this as a buffering transition.

Hughes then moved that the Planning and Zoning Commission recommend to the Board of Aldermen that the request to rezone the property at 316 West Bruton from R-1 to R-3 be denied, but that property instead be rezoned to R-2. Sanders seconded the motion.

On roll call vote, the following members voted aye: all members present.

The following members voted nay: none.

The following members abstained: none.

The motion passed.

The Commission members told Behrns they were willing to look at the issue of keeping "urban" chickens. Behrns will get a copy of the ordinance used by the City of Columbia on that topic. It will be one topic for discussion at the next Commission meeting.

Lee moved that the meeting adjourn. Hughes seconded the motion. The question was called. Voting aye: all members present. Voting nay: no member. The motion carried.

The meeting adjourned at about 7:35 p.m.

LYNNARCIVE11\P&Z12.may