

Fort Sanders Quarterly Stakeholder Meeting
September 2, 2010
3:00-5:00 pm
UT Visitors' Center

Meeting Notes:

Agenda Item I:

Welcome and introductions were made and each stakeholder introduced themselves. The purpose and goal of these meetings has been to facilitate communication between various stakeholders.

Agenda Item II: Ft. Sanders Code Sweep and Educational Opportunity

Robert Moyers, Neighborhood Codes Enforcement, described the request of the Quality of Life Subcommittee to conduct a neighborhood code sweep in the Ft. Sanders area during the fall of 2010. The purpose of the sweep is to identify code violations and educate both property owners and renters of their responsibilities.

The code sweep is scheduled for Wednesday, September 29th and one week prior to the sweep the Historic Ft. Sanders Neighborhood Association will post notices within the neighborhood about the event. The sweep will cover from 17th Street east to 11th Street; the western portion of the neighborhood will be eligible for a code sweep at a future date and time. The eastern section of the neighborhood was chosen because it is experiencing the most problems, and there is not enough man power to cover the whole neighborhood in one day with quality results. The day of the sweep all of the codes enforcement officers along with KPD and KFD will walk through the neighborhood and will note any violations.

This is an outside walk through; code enforcement officers will not enter a structure without a request or complaint filed. The majority of violations in the area typically deal with trash, trash can placement and alleyways. Additionally, a pamphlet will be left at every house with or without a violation noted in order to educate tenants to their responsibilities. If a violation is noted the codes enforcement officers will follow up in two weeks to check the status and then proceed to more traditional means of enforcement if violation is not cleared up. Any questions on this effort can be directed to the city's one call number, 311.

Agenda Item III: Long Range Planning Implementation Strategy Discussion

Mark Donaldson, Executive Director of MPC, started this discussion with a review of the current sector plan map, the current zoning map and the proposed plan map that would update the current sector plan. Mr. Donaldson noted that the one year plan document required by city charter is now redundant since at the time it was adopted there were no sector plans for the city. There tends to be

confusion between these documents and part of the discussion was clarifying the role of the maps and plan documents.

A main area of concern with the current sector plan and the proposed long range plan update is the western section of the neighborhood that is designated Low to Medium Density Residential (LMDR). Some of the property owners noted that they were unaware of this designation and they asked about the process for changes to be made to the sector plan. Additionally, concerns were noted regarding single family verses multi-family and rental units. Mr. Donaldson discussed MPC's notification process for rezonings and Anne Wallace noted the need for fiscal responsibility with regards to notifications that are not rezonings. Some of the group noted that property owners should have input into the vision of the planning process. Bob Whetsel offered that notification has been made, everyone in the room has the ability to impact the plan, and that the discussion should be centered on the plan instead of process in order to move forward.

John Craig stated that he did not understand the issue that some property owners were presenting because he feels like the plan preserves options instead of limiting to one classification. Mike Gallegos responded that the plan feels like a taking because it is currently zoned R-2 and he is concerned that designating the plan to LMDR will potentially allow a down zoning. Mr. Craig responded that the proposed plan and the existing sector plan are the same and therefore no change is happening to the current status of the properties Mr. Gallegos referred to on the western side of the neighborhood.

Alice Basler noted that her main concern along with other property owners in the area was the potential loss of medium density residential (R-2) zoning and its associated permissible uses. The area west of 22nd street is currently zoned R-2 and not a mix of low density residential (R-1) and R-2. This mix of zoning is allowed under the sector plan designation of LMDR. Mike Harding posed the hypothetical situation, "If a neighbor chooses to down zone to R-1 does that hurt my ability to later use my property for a more dense R-2 use, such as an apartment building". The conclusion of MPC and City staff was that it would not detract from a property owner's ability to use the R-2 zoning.

Mr. Gallegos followed up with a question regarding whether or not there was a preference in L/MDR sector plan for R-1 owner occupied dwellings. Mr. Donaldson stated that there was no preference presented by the zoning for either owner or renter occupied properties. Councilman Becker also noted that Council is unlikely to rezone a property if the property owner is in opposition to the rezoning, because they are elected officials and they do not want to unnecessarily upset voters.

Jon Haas raised concern regarding the demolition of houses by the hospital. Mr. Whetsel noted that the ultimate property rights are determined through ownership. There are a number of competing interests in the Ft. Sanders area;

Mr. Gallegos noted the impact of the railroad, the Rohm & Haas facility (now Dow Chemical), the transient population, and suggested the need to be realistic with regards to ownership and rental properties.

In order to address the plan more directly, the group proceeded to assess each of the proposed changes from west to east. Noting that the change overall to the neighborhood is to increase the planned density for the area. Everyone was comfortable with the proposal on the northern and western edges of the neighborhood to designate medium to high density residential (MHDR). Everyone was also comfortable with the re-designation of the Ft. Sanders School property to Public Institution instead of LMDR to preserve potential future joint ventures between the school and hospitals. There was discussion of the neighborhood conservation overlay (NC-1) which would create an additional layer of review for zoning approvals. Dr. Ed Clark expressed concern over the possible change from office to LMDR on the plan along **Clinch Ave.** The group agreed to leave this area as designated for office.

Mr. Gallegos expressed his desire to not have an NC-1 overlay on his properties. Mr. Craig, who owns property in the existing NC-1, noted that the overlay does not prohibit any rental uses, but that it increases the attractiveness of the neighborhood because it sets a standard for everyone to work by. Tim Gibson expressed that many renters are not influenced by the neighbors if they are looking to rent a house as opposed to renting in an apartment building. Jayne Duncan expressed concern about the NC-1 Overlay. Ms. Duncan also noted that the overlay was proposed in 1999 and the neighborhood was not interested in it at that time and would rather not have it now. Mr. Haas proposed a tradeoff where capital improvements such as sidewalks, lighting, benches, etc. could be provided as an incentive to the overlay. **This idea did not gain support.** Councilman Bob Becker noted that property owners are typically the most common requestor of a rezoning.

The conclusion of this conversation was that the group could agree to leave the LMDR designation if the plan dropped the references and proposal for an NC-1 overlay. **Specifically, Mr. & Mrs. Bill Duncan, Ms. Basler, Dr. Clark, Mr. Harding (representing Neely properties), Mr. Haas, Mr. Gibson, Mr. Gallegos, Ms. Anne Gallegos and Ms. Anna Gallegos expressed the desire to not have their property covered by an NC-1 Overlay. Everyone concurred with this compromise.**

Agenda Item IV: Stakeholder Updates

Anne Wallace updated the group about the Cumberland Avenue Streetscape project. The city is working with consultants on detailed design, which includes future placement of utilities. Ms. Wallace noted that the overhead utilities will be removed from aboveground on Cumberland Ave., however, the most cost effective option on the table is to place them above ground in the alley. There was concern expressed by Mr. Craig and representatives of Ft. Sanders Hospital that this would leave greater challenges for future investment on the corridor.

Someone asked what the potential private investment is for the corridor; Ms. Wallace noted that the Glattig Jackson study estimates \$280 Million return on the public investment. Mr. Craig noted that \$5 Million for underground utilities was likely warranted because of the future private investment. The city staff encouraged stakeholders to contact the city administration with their preferences.

Mr. Gallegos noted the concern regarding transient populations along the railroad corridor and requested that the plan reflect a desire to place appropriate fencing along the corridor to reduce this movement. It was agreed that this change would be incorporated.

Ms. Wallace noted that KUB has started clearing the lot at 17th and Dale Ave. in order to prepare the site for the future substation.

Darrell Calloway, from Ft. Sanders Regional Hospital, noted that they did receive the variances requested last month with some negotiations with the neighborhood regarding sensitive locations. Mr. Calloway talked about possible future expansion of the wayfinding system to Cumberland and 17th since they are the major corridors that serve the hospital. Mr. Gallegos noted the generosity of the hospital to include other resources on their wayfinding signs (such as Children's Hospital and Thompson Cancer Center). Also Mr. Calloway stated that the hospital has received its certificate of occupancy for the building shell; they are substantially complete with construction although there will be tenant work to finish out the space.

Agenda Item V: Future Meeting Times

A request was made to adjust the start time of future meetings, the group agreed to move the start time of future meetings to 4:30 in the afternoon to make it easier for everyone to attend.

The next meeting is scheduled for Thursday, October 21st, at 4:30pm, location to be determined, and the purpose of the meeting will be to review the updated draft of the Ft. Sanders Long Range Plan. MPC will provide the updated document prior to this meeting for stakeholder review.

There being no further business, the meeting was adjourned.