

From: PADEN and NORMA PRICHARD [<mailto:nandpprichard@msn.com>]
Sent: Sunday, July 19, 2015 9:29 PM
To: Andreades, Debra
Subject: PC meeting July 13

Hello Debra,

Please pass my comments on to the Planning Commissioner Members. Thank-you.

I was unable to attend the July 13 PC meeting because I was out of town and did not get the meeting announcement until too late. When we last spoke about this subject, the regular height standards in the CDC were going to stay in place. Had I known that this was going to be re-opened for discussion, I would have made a point to be there. I watched the meeting and have some comments.

Not really important, but Commissioner Adrian Brockman slightly mis-stated my comment to her. We were talking about the Cedar Street flag lots where the 6 foot height exceptions over and above the 22 feet were going to be permitted even though the average of adjacent houses taken was 22 feet. She said that I said, "you could build a very nicely designed house if you limited the height" What I said was, (in the context of the Cedar Street project), it was possible to build a very nicely designed house with a height limitation of 22 feet. I never expected my comment to be used in regards to regular "substandard" lots....especially lots that are 96% of standard.

During the DRC hearing on the Cedar Street flag lot project I objected to permitting the 6 feet exceptions (added to 22 feet to make 28 feet) since the surveyed average of adjacent buildings was 22 feet. (Asking staff, how could they add 6 feet for the new homes if the intent was to build to the average??? I was told that code permitted that.)

I called last week to get some clarification regarding the July 13 PC decision regarding building heights on substandard lots. The PC discussion and deliberation flipped around so much, discussing flag lot heights, substandard lot sizes.... building heights permitted, mostly using as an example 5000 square feet in an R-7.5 zone like Hallinandiscussing with Counselor Boone about flat vs level vs sloping lots, that in my opinion, not everybody fully understood the consequences of using flag lot rules ...modified to delete the 6 foot exception.....(which I think was adopted).... for other areas and lot sizes.

What I think the Commissioners voted on, was to allow a maximum height of 22 feet on a "substandard lot" regardless of how much or how little the lot is "substandard unless the average adjacent homes are greater than 22 feet and in that event the house would be allowed to go to that average. But if held to 22 feet, the 6 foot exception could not be taken although it would be possible to have a 28 or 32 foot tall house next door. This is cumbersome planning and quite possibly not fair, and certainly not a "Clear and Objective Standard", because the height based on this method for a particular zone could vary significantly. I think the existing rules work and should stay in place.

I agree completely with Commissioner Gaar that the flag lot method of dealing with height on a regular "substandard" lot (there are definitely degrees of substandard) is overly complicated and could be especially punitive if the averaging method was used and the height was not permitted to go to at least 22 feet (flat/level lot).

I agree with staff, the existing code language using FAR and Lot coverage analysis has worked pretty well to limit the "size" of new homes in most zones. As Commissioer Lamotte stated, the more substandard the lot, the smaller the house. Ralph Tahrans's sketch examples provide good evidence of how that works.

The 6 foot exception now being permitted was never originally intended to add usable building height....just roof features. It was a tool to limit the floor area and mass of the house. However as it is now being interpreted, and allows for, and is being used for, added floor area, massive front elevations and curb appeal for a house being built to sell. Not neighborhood compatibility.

During the discussion, R-.7.5 lots were used frequently as an example. The Evergreen Neighborhood has the R-7.5 zone with many 7200 square foot lots. Is 7200 square feet "substandard"? and if so, to the same degree as the example of 5000 sq ft that was used most often by Commissioner Ward? It seems to me that when a significant number of lots are 7200 sq ft in a 7500 sq ft zone, that a 7200 sq ft lot....if considered substandard, should only be by degree.....that is 96% of the standard size. I understand that many of the Hallinan lots are 5000 sq ft in an R7.5 zone. That is 66% of standard and when that degree of separation from the underlying zone exists, then perhaps there should be some other language that restricts height.

The issue of building heights restricted to 22 feet or the average of adjacent buildings (flag lot standards) on a lot that is 96% of a standard size seems overly restrictive to me unless the 22 feet is allowed out-right as a minimum . (By the end of the deliberation and vote, it was unclear to me just what was to be permitted.) I would appreciate a clarification of the decision. Thank-you.

Regards, Paden Prichard
503 650 8183
503 539 8009 (cell)