

## **Media Release**

### **FOR IMMEDIATE RELEASE:**

#### **Bryant Apartment Moratorium**

Mayor Dabbs opens the first City Council meeting of 2013 with “I have the same concerns many of you have surrounding the impact more apartments will have on our great city. So much that at the beginning of my administration in 2011 I laid before council a resolution that enacted a temporary moratorium on the issuance of any new apartment permits. The intent of ordinance 2011-3 and 2011-9 was to temporarily stop the development of apartments and to give the planning department time to draft an ordinance establishing very high standards for any future development of apartments in Bryant. Historically case law strongly suggests a permanent moratorium is not a good idea since it can lead to serious legal liability issues for the city. However, limits and standards are acceptable when created and enforced properly. These high standards are intended to protect the integrity of our city, our school system and our quality of life for years to come. The planning commission during the first quarter of 2013 will have an ordinance prepared to recommend to full council and you will have an opportunity to pass a monumental piece of local legislation that will help define Bryant’s Quality of Life for years to come.

It is not my intention to request for this moratorium to be lifted until that ordinance has been passed.

Prior to the Moratorium there were a few projects in the works already that had to be given consideration. Lindsey’s final phase of apartments, Mr. Olthems final phase and now we are faced with the Midtown situation and I want to clarify some historical information that is important to understand and then our legal counsel will discuss what this means and what his recommendations for council are moving forward.

Prior to the moratorium being put in place

In the fall of 2007 following a number of public meetings a previous City Council in a different administration passed Ordinance 2007-39 that established the Bryant Traditional Neighborhood Development overlay district called Midtown. This TND allows

for a lot of different types of development including apartments. The ordinance gives permission for this specific type of land use.

Ordinance 2007-39 is a zoning ordinance that defines what is allowed and what is not allowed for the land use in this designated area called Midtown.

Based solely on the 45 minutes of public comments it is clear that the residents of Westpoint, Midtown, and other surrounding neighborhoods are greatly concerned with apartments proposed for the Midtown neighborhood. Reasons ranged from lack of good street connectivity to accommodate the additional traffic, to the burden the additional students would add to our school system, increased crime rates that is often associated with apartment complexes and simply that what was originally proposed for this development is not what it appears the city is receiving.

Bryant staff attorney Chris Madison, explained, "My job as attorney for the city of Bryant is to keep the city between the lines, under the speed limit and stopping at stop signs." The city council, under the previous administration, voted on Ordinance 2007-39, which allows for multi-family residential facilities in the development known as Midtown TND. The city potentially faces significant liability by not amending the moratorium based on this particular ordinance."

Alderman Scott Curtis made a motion to not lift the moratorium and Alderman Gladden, after a statement concerning alderman listening to their constituents and acting in the best interest of what the public wants, seconded the motion. The motion passed unanimously by the City Council.

As a result of this vote, the moratorium on the issuance of apartment permits stands.