

**Planning and Zoning Commission Special Work Session Minutes**  
**August 24, 2016**  
**Conference Room 1-B - 1<sup>st</sup> Floor City Hall**

**ATTENDANCE:**

Members Present: Harder, Loe, MacMann, Rushing, Russell, Stanton, Strodtman, Toohey

Members Absent: Burns

Staff: Moehlman, Teddy, Zenner

Guests: Farnen, Land, Skala, Colbert

**ADJUSTMENTS TO AGENDA:** None.

**TOPICS DISCUSSED – New Business:**

- UDO Comment and Issue Spreadsheet

Mr. Teddy gave a general overview of the M-DT district to refresh Commissioner's memories as to why the district was developed and generally its overall structure. Following the broad overview he proceeded into the comments/issues within the spreadsheet. Mr. Teddy noted that there were several related questions within the spreadsheet and in the interest of time he would be combining his responses to address these related items with his remarks. He also pointed to the M-DT map and noted that the dots upon it represented topics or areas that would be discussed as part of his presentation.

Civic structures and their designation/non-designation was the first topic discussed. It was concluded after detailed discussion that 1) a new definition clarifying what was a civic structure would be created, 2) all public buildings would be removed from the map except the Howard and Gentry Buildings, the County Courthouse, and the Blind Boone Building, and 3) all existing free-standing churches would be identified on the map and any existing improvements would be considered exempt from the M-DT provisions, but additions to such facilities would be subject to the proposed M-DT standards. There was also discussion of clarifying the procedure for having buildings designated as a civic building on the Regulating Plan post-UDO adoption.

Having addressed the issue of civic structure exemption, Mr. Teddy proceeded to discuss the issue of open space within the M-DT. It was noted that the variation between the Urban General and Urban General West would be standardized to 15% in both locations. The discussion then pivoted to the issue of how open space was calculated within the M-DT. There was general agreement that the current provisions in the M-DT did not take into account the intensity of a building, but rather established the requirement as a percentage of the buildable area.

There was significant discussion about the options that could be used for calculating open space and consensus that a process which bases open space on a per dwelling unit basis should be established for residential uses and for commercial/office uses it should be based upon a minimum square footage threshold. The Commission agreed that 50% of the open space for dwelling unit needed to be met within the unit and the other 50% could be met within common elements found within the building. Staff noted it would come back with a proposal; however, it appeared that 70 sq. ft/dwelling unit was acceptable. A square footage for commercial/office was not presented, but exempting such uses out was made clear as not being supported.

The next area of significant discussion was related to the use of street walls to separate public and private spaces. Mr. Teddy explained Ferrall-Madden's rationale for inclusion of the principle within the M-DT and further noted that as envisioned it would be rarely used between buildings; however, may be used more along unbuilt RBL's. There was discussion of creating a menu of options for what type of walls would be required in particular situations and to what height such walls would be required to be constructed. There was also discussion of allowing parking to be brought closer to the RBL if such frontages were screened with a

combination of wall and landscaping (examples of such treatments were given – Bank of America (8<sup>th</sup> and Cherry), Central Bank of Boone County (7<sup>th</sup> Street), Landmark Bank (8<sup>th</sup> Street)). There was additional discussion that screening of outdoor seating areas and forecourts would not be required, but left as optional according to a proposed set of options.

Given the proposed changes to wall usage, a question was brought up regarding how an unimproved portion of a site would be treated under the new M-DT standards. It was stated that it appeared as though the property owner would need to construct a street wall. Staff indicated that as written that was correct. There was discussion regarding this interpretation. It was concluded that an option needed to be added that if a portion of a site were not developed with new construction it could be either screened with a wall or could be stabilized with grass and the vacant street frontage could be improved with landscaping until new development were to occur on the vacant property. Several Commissioners felt this type of option would allow for the creation of “pocket parks” that would function to enliven the streetscape where a building or parking area was not initially proposed.

The next area of discussion that Mr. Teddy covered dealt with door placement along a street frontage. He clarified that placement of door every 75-feet was calculated as an average of the entire block face. He noted that an applicant could request modification of the standard on their specific proposal if they could prove the rest of the block face met the standard. There was discussion regarding this conclusion and a question about how topography within the downtown would be taken into account. Mr. Teddy indicated that if such features were to prohibit the block face from meeting the required spacing a variance before the BOA would be justified since the conditions would be able to be proven to be unique to that property not common city-wide.

Following discussion of door placement Mr. Teddy began to refer to the dots on the M-DT Regulating Plan Map. He noted several of the questions regarding the boundaries of M-DT specifically those along Park Avenue east of N. Tenth Street. He noted that this area was intended to be left as it was shown at this time. He then pointed out the portion of 5<sup>th</sup> Street north of Ash would become Urban General. Attention then shifted to discussion of the coding of the Providence Road corridor from Cherry to the just north of Ash.

Mr. Teddy explained generally what he believed to be the purpose for the designation of the corridor and noted that significant resources had been expended to consider what would become of the intersection of Providence and Broadway. There was Commission discussion regarding the matter and it was concluded that the entire west side of the corridor would be changed to Urban General West. On the east side of Providence at its intersection with Broadway, the south half of the block to the north of Broadway and the north half of the block south of Broadway would be retained as Urban General. Such an action would require the actual entry into downtown at the Providence/Broadway intersection to be built to two stories.

It was further agreed that remaining portion of these blocks would become Urban General West along the Providence frontage and extending eastward to middle of each block. The portions of these blocks fronting on Fourth Street were to be retained as Urban General. Mr. Zenner also pointed out to the Commission that the frontage designation south of Elm Street near the 10<sup>th</sup> and Hitt Garage had been changed to Urban General to represent what was actually there.

Having reached the end of the work session Mr. Zenner noted that the Commission would be picking up on the August 18 “N” answered questions at the next work session. He noted that the agenda for the meeting would be distributed on Friday.

**ACTION(S) TAKEN:** Minutes from the August 10, 2016 special work session were approved. No votes or motions were made. Meeting adjourned approximately 8:30 p.m.