

**Planning and Zoning Commission Work Session Minutes**  
**July 21, 2022**  
**Conference Room 1A & 1B - 1<sup>st</sup> Floor City Hall**

**Call to Order**

Commissioners Present – Burns, Carroll, Geuea-Jones, Kimbell, Loe, MacMann, Placier, Stanton, and Wilson  
Commissioners Absent – None  
Staff Present –Zenner, Thompson, Palmer, and Smith

**Introductions**

**Approval of Agenda**

Meeting agenda adopted unanimously.

**Approval of Minutes**

July 7, 2022 work session minutes adopted as presented.

**Old Business**

**UDC Text Amendment Project - Phase 4, Work Session #3 (Continued)**

Mr. Smith recapped the discussion of drive-through standards from the previous work session and highlighted changes that had been made following discussion with the City's Traffic Engineer. He discussed the how the ITE (Institute of Traffic Engineers) Manual was utilized in evaluating trip generation for selected land uses and more specifically "drive-thru" uses for the proposed text change. He also provided an overview of the Traffic Assessment Memo provided to the staff relating the most recently constructed Culver's Restaurant off Stadium Boulevard.

There was general discussion about the proposed additional regulatory language to provide clarity as to when a traffic study would be required. Mr. Smith noted that staff desired to retain some level of flexibility for the City's Traffic Engineer and that was why the wording proposed that way with respect to internal development conditions. The mandate for a study when the site had access within 300-feet of an intersection was noted as a general standard used in most traffic analyses required by the City.

There was additional detailed discussion with respect to establishing less subjective requirements triggering a traffic study and what it should be providing staff in their analysis. Mr. Smith suggested that the criteria shown within the requirement for a conditional use approval could be incorporated into the proposed standards triggering a traffic study for a drive-thru permitted with a "by-right" use (generally those in the M-C district). The Commissioner expressed support of that change noting it would create less subjectivity in staff analysis of the traffic study when required.

There was also discussion of using "user-specific" trip generation values in lieu of the standards provide by the ITE Manual. Commissioner cited that not all drive-thru uses perform at the same level of intensity and that potentially only utilizing the ITE Manual generated number may result over-estimating the impact that one use may have other another. Mr. Smith indicated that he would discuss the possible use of alternative trip generation values with the City Traffic Engineer.

Mr. Zenner noted that it is possible that smaller uses may not have those numbers whereas a larger drive-thru user may. In such instances, the only available metric for evaluation would be to use the ITE Manual and that creating a variation could create an uneven playing field between users that both have drive-thrus

as part of their business operations. Mr. Zenner suggested that it may be valuable to state within the regulations that the ITE was baseline for all users and those that had traffic studies could offer them as supplemental information. If the submitted numbers shown an increase in trips the higher number would be used.

Mr. Smith when on to explain the conditional use criteria in the proposed text amendment and how a traffic study would be required any time there was a CUP approval required for a drive-thru. Concerns were expressed that small businesses may be negatively impacted by the proposed standards. There was discussion on how to potentially exempt a small business from having to produce a traffic study. Mr. Smith suggested a strategy that could incorporate a list of “exempt” uses such as bank in M-OF as well as possibly considering a square footage maximum prior to requiring the study.

The Commission also discussed at length the issue of site placement and design of development that had drive-thru uses located on strip center “end-caps” and in adaptive reuse scenarios. Specific examples offered included the Freddy’s located in the Broadway Shopping Center near Highway 63 and the dry cleaners converted to a coffee shop off Green Meadows. Commissioners desired to ensure that the traffic issues resulting from those projects were not generally replicated elsewhere within the City.

Mr. Zenner noted that the current amendment process could address such “reuse” or “infill” situations and that site planning and evaluation controls would need to be identified that provide mechanisms for Site Development staff to take a more critical look at such locations in the future. Mr. Smith noted that he could explore potential regulatory standards that would address these concerns with the Traffic Engineer and the Site Development team; however, formal text addressing the concerns may need to be developed for a subsequent round of review.

Mr. Smith asked if the Commission was satisfied with the revisions discussed on the topic and if staff should prepare for a formal hearing. Commissioners indicated they were ready to move the amendment forward with the changes discussed and the additional “tweaks” to be made by staff. Mr. Zenner pointed out that prior to advertising for the hearing a final “look-see” of the text change would be offered to the Commission. Commissioners noted that they’d prefer the text be provided in final format for an up or down vote. Mr. Zenner noted that could be done and would likely occur at either the August 18 or September 8 work session meetings dependent on staff ability to confer with other staff members.

Mr. Smith went on to explain the second text change within the distributed amendment sheets. The second amendment dealt with the issue of utility easements within the M-DT district. Mr. Smith noted the Utilities Division was supportive with elimination of the requirement that a utility easement be mandatorily require as part of replat involving M-DT parcels; however, wanted to retain the options to require that the easement be required on an “as-needed” basis at the discretion of the Utilities Director. The Commission was supportive of the proposed change and instructed staff to prepare a formal amendment for public hearing.

The final topic of text changes that was discussed dealt with the issue of eliminating all references to the C-2 district that were within the Code. Mr. Zenner noted that this amendment really needed not discussion given all property previously zoned C-2 had been rezoned and the section was no longer relevant within the UDC. Commissioners agreed and instructed staff to prepare the appropriate formal amendment for public hearing.

In “carry-over” business from the prior work session Chairman Loe asked if there were any Commissioners interested in serving on the DLC (Downtown Leadership Council) as the PZC appointment. Chairman Loe and Commissioner Burns explained the responsibilities associated the appointment. After general discussion Commission Geuea-Jones agreed to serve on the DLC. Mr. Zenner noted he would inform the City Clerk’s office of the appointment.

## **ADJOURNMENT**

Meeting adjourned approximately 6:59 pm

## **ACTION(S) TAKEN:**

Motion made by Commissioner Geuea-Jones, seconded by Commissioner MacMann, to approve the agenda as presented. Motion passed unanimously. Motion made by Commissioner MacMann, seconded by Commissioner Geuea-Jones, to approve the July 7, 2022 work session minutes as presented. Motion passed unanimously.