

Planning and Zoning Commission Work Session Minutes
April 18, 2024
Conference Room 1A & 1B - 1st Floor City Hall

Call to Order

Commissioners Present – Carroll, Dunn, Ford, Geuea Jones, MacMann, Loe, Placier, Stanton, Wilson
Commissioners Absent – None
Staff Present –Craig, Kraus, Kunz, Teddy, Zenner

Introductions

Approval of Agenda

Meeting agenda adopted unanimously

Approval of Minutes

The April 4, 2024 work session minutes were approved unanimously with Commissioner Wilson abstaining.

New Business

A. Council Assignments

Mr. Zenner provided the Commissioners with an overview of a newly assigned text amendment presented at the April 1, 2024 Council meeting by Engineering Surveys and Services, on behalf of their client The Puri Group, relating to hotel height. Mr. Zenner explained the amendment was tied to a recent concept review for a new hotel that would be built southwest of the intersection of Hanover Drive and Clark Lane between I-70 and a future relocated 63 Connector interchange proposed with the overall Improve I-70 project. The new interchange would be created by the extension of Hanover Drive south of its current intersection with Clark Lane and extend under I-70 to I-70 Drive SE.

Mr. Zenner continued to explain that with the requested text amendment, the applicant submitted proposed UDC language for consideration. The proposed text recommended increased hotel height could be considered when a property was within a particular distance of I-70, US 63, and Stadium Boulevard zoned M-C (Mixed-use Corridor). Additionally, the applicant's proposed code text suggested a maximum height of 8 stories and allowing height to increase 5-feet for every 1-foot of increased setback above the minimum required in the M-C district. Finally, the proposed code text noted "neighborhood protection" standards would apply to future hotels in the locations where additional height would be permitted.

After explaining the context of the amendment, there was significant Commission discussion on the applicant's proposed UDC text. Concerns were expressed that what was proposed may be inappropriate given surrounding land use context and that the amendment text seemed to be prepared with little evaluation of the impacts upon possible allowable locations and used a limited sample of sites to arrive at the recommended standards. Mr. Zenner noted that staff had not performed any research at this time – the language proposed was completely from the applicant.

He further noted that research would be done before a final amendment was presented to the Commission at a future work session. He also expressed that staff shares several of the Commission's concerns; however, is generally supportive of the amendment given its benefits to reduce development sprawl, align with current development trends, maximize infrastructure investments, and streamline the development approval process by eliminating Board of Adjustment variances and potentially PD requests.

Commissioner's offer several suggestions on what to consider in the research phase of the amendment. Mr. Teddy suggested that a GIS analysis similar to that performed when medical marijuana was approved at the State level prior to adoption of local regulations could be undertaken. Such an analysis would map the radii

offered by the applicant to see what property would be eligible. This suggestion was seen as appropriate by the Commission. Several Commission expressed significant reservation to see hotels along the “central” section of Stadium Boulevard given the possible impacts to adjoining residential development.

Mr. Zenner noted that the timeline for the amendment was not defined given the other activities the Commission was engaged in as well as the uncertain timing of the completion of the design plans for the I-70/Hanover interchange. Mr. Zenner noted that pursuing development plan approval for the new hotel would require a rezoning of the property as well as platting. Without a clearer understanding on the final design of the interchange it is uncertain how much land will be needed to construct it out of the subject property upon which the new hotel would be located. Mr. Zenner noted that the existing processes through which hotel height can be increase (variance or PD) are still available should the final design of the roadway projects proceed faster than anticipated and the text amendment is lagging behind.

With that said, Mr. Zenner noted, staff will begin analysis as recommended by the Commission and come back in the near-term with its research results and a proposed text change.

Old Business

A. UDC Text Amendment – Small Lots

Mr. Zenner indicated that since the prior work session preparation of proposed use-specific provisions proceeded slower than anticipated. He noted what had been prepared and presented in the work session packet involved significant review of existing UDC provisions and consideration of the new standards could be integrated into the old. Mr. Zenner noted that he was looking for existing UDC standards that could be tweaked and applied to the new small lots more so than trying to develop totally new requirements. Furthermore, he stated that he was experiencing difficulty in finding examples from other communities that capture the essence of what the Commission desired.

Following his opening remarks, Mr. Zenner presented proposed use-specific standards relating to “lack of open space” and “lack of diversity”. With respect to the first topic, Mr. Zenner noted that the UDC currently requires 15% of a site to be left in open space for all land uses other than single-family, two-family live/work uses or zoning. As a means of ensuring developments containing small lots are required to provide dedicated open space, it was proposed that development greater than 30 lots where 75% or more of the lots are smaller than 5000 sq. ft provide 300 sq. ft. of common open space. If the development were within ¼-mile radius of a public park connected to the development by sidewalk it would be exempt from the standard.

Having explained the provision there was general Commission discussion. Concerns were raised that the standard seemed low and Commissioners asked that the percentage be verified. It was recommended that establishing a standard based on a population threshold (i.e. open space/persons or open space/acre) would be more defensible and could be “scaled” up or down. It was also requested that presentation of numbers be consistent within the text language (i.e. percentage vs fractions).

Mr. Zenner continued to the second topic presented in the work session memo dealing with “lack of diversity”. He noted that for the proposes of the use specific standards he viewed “diversity” as being associated with architectural diversity such that a development did not appear monotonous and cookie-cutter. He further noted that several of the proposed standards were pulled from other location within the UDC, specifically the M-DT provisions.

Again, Mr. Zenner noted that the general UDC requirements applying to design standards and guidelines exempt single-family development. To address this, a revision to the exemption provisions is proposed such that compliance with the existing design standards would be activated when development of a single-family home on a lot less than 5000 sq. ft. was proposed. In addition to making this revision, a new subsection was proposed that included specific standards intended to ensure “diversity” within small lots developments that contained more than 30 lots of which greater than 75% were less than 5000 sq. ft.

Mr. Zenner explained the proposed “diversity” elements require no fewer than 2 different building styles and 20% architectural treatment variations between dwelling units be incorporated into new small lot developments. Additionally, no more than 6 dwelling units using the same floorplan could be adjacent to each other and “mirroring” a building floorplan to enhance diversity was highly encouraged. Finally, the proposed “diversity” elements proposed to address transitions between buildings of different sizes by using the existing neighborhood protection standards (i.e. step-down or increased setback) applicable to multi-family development adjacent to single or two-family dwellings.

The Commission has significant discussion relating to the necessity of the proposed architectural requirements. There was also discussion that staff misunderstood what the Commissioners sought when it discussed “diversity”. Several Commissioners noted this was intended to focus on the types and sizes of proposed construction whereas other Commissioners did agree design was intended. Mr. Zenner noted that he would be developing standards that would more directly address building form and use and understood from the Commission’s prior discussion this was a separate use-specific standard captured under the topic of “encourage variety in housing styles and topologies (i.e missing middle, bungalow court, MUSE).”

With this clarification, additional comments and concerns were expressed that the proposed architectural standards may potentially drive up costs. Several Commissioners; however, expressed support for the standards noting that they were not overwhelming and that they would establish a baseline for development that would promote diversity. Commissioners agreed to retain the provisions as they were written and would come back to them once the remaining use-specific standards requested were developed.

Mr. Zenner thanked the Commission for the comments and noted that the staff would continue to work on preparing the remaining use-specific standards identified during the April 4 work session.

Adjournment

Meeting adjourned at 6:55 pm.

Actions taken:

Motion made to approve the agenda as submitted by Commission MacMann and seconded by Commissioner Carroll. Motion made to approve the April 4, 2024 work session minutes as presented by Commissioner MacMann and seconded by Commissioner Dunn with Commissioner Wilson abstaining.