



## MEETING MINUTES

# Planning & Zoning Commission

Thursday, December 1, 2016

### AGENDA

- 1. WID ID-1 – The Cheer Combine  
16-095CU** **6419 Old Avery Road  
Conditional Use (Approved 7 – 0)**
- 2. BSD SRN – Bridge Park, Block H  
16-097SPR** **Dale Drive  
Site Plan Review (Approved 7 – 0)**
- 3. SuperSystem Athletics  
16-101CU** **6365 Shier Rings Road  
Conditional Use (Approved 7 – 0)**
- 4. Bishop’s Run & Bishop’s Crossing  
16-104AFDP** **Hyland-Croy Road  
Amended Final Development Plan (Approved 7 – 0)**

The Chair, Victoria Newell, called the meeting to order at 6:31 p.m. and led the Pledge of Allegiance. Other Commission members present were: Cathy De Rosa, Stephen Stidhem, Chris Brown, Bob Miller, Deb Mitchell, and Amy Salay. City representatives present were: Phil Hartmann, Vince Papsidero, Claudia Husak, Lori Burchett, Nick Badman, and Flora Rogers.

### Administrative Business

#### Motion and Vote

Mr. Brown moved, Ms. De Rosa seconded, to accept the documents into the record. The vote was as follows: Ms. Mitchell, yes; Mr. Stidhem, yes; Mr. Miller, yes; Ms. Salay, yes; Ms. Newell, yes; Ms. De Rosa, yes; and Mr. Brown. (Approved 7 - 0)

#### Motion and Vote

Mr. Brown moved, Mr. Stidhem seconded, to approve the meeting minutes from October 13, 2016, and November 3, 2016. The vote was as follows: Ms. Mitchell, yes; Ms. Newell, yes; Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; Mr. Stidhem, yes; and Mr. Brown, yes. (Approved 7 - 0)

The Chair briefly explained the rules and procedures of the Planning and Zoning Commission. She said all of this evening’s cases are eligible for the Consent Agenda. At the request of one of the Commission members, she pulled Case 2 – Bridge Park, Block H from the Consent Agenda. She said the cases would be heard in the following order: 1, 3, 4, and 2 but would be recorded in the minutes in the order they were listed on the agenda.



**1. WID ID-1 – The Cheer Combine  
16-095CU**

**6419 Old Avery Road  
Conditional Use**

The Chair, Victoria Newell, said the following application is a Conditional Use proposal for an 11,600-square-foot indoor recreation facility within an existing building within the West Innovation District. She said the 1.77-acre site is on the west side of Old Avery Road, approximately 1,050 feet north of the intersection with Shier-Rings Road. She said this is a request for a review and approval of a Conditional Use under the provisions of Zoning Code Section 153.236.

**Motion and Vote**

Mr. Brown motioned, Ms. Mitchell seconded, to approve the Conditional Use. The vote was as follows: Ms. Newell, yes; Ms. Salay, yes; Mr. Miller, yes; Mr. Stidhem, yes; Ms. De Rosa, yes; Ms. Mitchell, yes; and Mr. Brown, yes. (Approved 7 – 0)

**2. BSD SRN – Bridge Park, Block H  
16-097SPR**

**Dale Drive  
Site Plan Review**

The Chair, Victoria Newell, said the following application is for a residential condominium development with 73 townhome units in six buildings in the Bridge Street District on the west side of Dale Drive, South of the intersection with John Shields Parkway. She said this is a request for a review and approval of a Site Plan Review under the provisions of Zoning Code Section 153.066.

The Chair swore in anyone planning to address the Commission regarding this case.

Lori Burchett said the process for this proposal within the Bridge Street District required two applications; the Basic Plan was approved in June and the proposed Site Plan is being considered this evening. The Site Plan review she said ensures that the details of the project are in compliance with the Basic Plan and ensures that all requirements within the district have been met.

Ms. Burchett presented the Site Plan and explained (future) Larimer Street will run between buildings H2 and H3. She presented the proposed Landscape Plan and noted a larger courtyard gathering space between Buildings H1 and H2 that will include a pool for residents and pathways connecting Mooney and Dale Drives. The proposed architecture was presented, which is contemporary with a mix of materials to add variety and interest along the façade.

Ms. Burchett reported the Administrative Review Team approved six Administrative Departures:

1. §153.062(O)(2)— Street Façade Transparency
2. §153.062(O)(2)— Non-Street Façade Transparency
3. §153.062(O)(2)— Vertical Increments
4. §153.062(O)(2)— Minimum Primary Façade Materials
5. §153.062(O)(2)— Street Façade Transparency
6. §153.065(4)— Off-street parking space and aisle dimensions

Ms. Burchett explained Administrative Departures allow for minor deviations from Code requirements within a fixed amount—generally within 10%.

Ms. Burchett said the applicant is requesting 18 Site Plan Waivers as part of this review. The staff report she said includes details on each of the Waivers and how they are applicable to the reviewing criteria. She highlighted the Waivers as they pertain to the project and explained that some of the Waivers apply to multiple elevations. She presented images that would reflect an example of the Waiver requests.

1. Incompatible Building Types §153.062—Building Types (C)(1).
2. Parapet Height §153.062—Roof Type Requirements D(1).
3. Parapets continuous §153.062—Roof Type Requirements—(D)(1)(b).
4. Tower Quantity §153.062(D)(4)(a).
5. Projecting sills §153.062(H)(1)(a).
6. Balcony Size §153.062(I)(1)(a).
7. Maximum impervious lot coverage §153.062(O)(2).
8. Permitted Primary Material Types §153.062(O)(2).
9. Front Property Line Coverage §153.062(O)(2).
10. Occupation of Corner §153.062(O)(2).
11. Street Façade Transparency §153.062(O)(2).
12. Non-Street Façade Transparency §153.062(O)(2).
13. Blank Wall Limitations §153.062(O)(2).
14. Parking Lot Façade; Entrances §153.062(O)(2).
15. Permitted Primary Materials §153.062(O)(2).
16. Vertical Increments §153.062(O)(2).
17. Minimum Finished Floor Elevation §153.062(O)(2).
18. Roof Mounted Mechanical Equipment Screening §153.065(E)(2).

Ms. Burchett said approval is recommended for the Site Plan Review with three conditions:

- 1) That the applicant define a portion of the courtyard as Public Open Space in order to comply with the Open Space Node shown on Figure 153.063—Neighborhood Standards (6)(d)(2)—Open Space Network;
- 2) That the applicant will submit construction details for the surface parking lot to the satisfaction of staff, prior to building permit approval; and
- 3) That the applicant will remove the off-street parking spaces from the parking count on the site plan.

Chris Brown questioned #9 Waiver. Ms. Burchett clarified building H3 did not extend all the way over because John Shields Parkway is not yet extended.

Steve Stidhem inquired about the layout elements.

Russ Hunter, Crawford Hoying Development Partners, 555 Metro Place, answered the elements he was referring to are window wells. Ms. Burchett added these window wells are not facing the street.

Bob Miller asked about turning into the auto court and getting into the garages. Mr. Hunter said the plans were modified so if a car has a 20-foot clearance, the turn can be made successfully.

Amy Salay asked if there were material sample boards available. She inquired about the mortar colors.

David Keyser, DKB Architects, 53 Lynn Street, presented samples of brick. He said the color palette is all neutral combined with anodized store front systems. He said the mortar for the charcoal brick is dark and the mortar for the buff brick will be natural, providing a monolithic appearance.

Cathy De Rosa inquired about the pool area. Mr. Hunter said a couple of units were eliminated to make room for the pool. He pointed out the green gathering space meant to be left largely natural as a lawn. He said the areas closer to the pool and the gates are more landscaped.

Victoria Newell asked the applicant to elaborate on the plant material that will screen meters.

James Peltier, EMH&T, said there will be some plantings in there but the meters will need to stay accessible and readable by the gas company. Ms. Newell suggested options so they would not be seen at all. She asked that a condition be added for approval that the meters not be visible.

Ms. Newell inquired about the use of CMU (concrete masonry units). Mr. Keyser said it is used in small spaces to protect impact from cars. Ms. Newell said CMU was not any better at strengthening a wall than brick in those instances. She said it looks awkward where the CMU is sleeved in.

The Chair invited public comment. [Hearing none.]

Mr. Brown encouraged the developer to explain the conditions for maneuvering in auto courts/garages to potential buyers. Otherwise he said he liked the garages, the detailing, and materials.

Ms. Newell asked how the CMU walls are detailed to be installed as she is concerned about longevity. She said the brick will contract and expand differently from the CMU. Otherwise, she said the buildings are lovely.

#### **Motion and Vote**

Mr. Brown motioned, Ms. De Rosa seconded, to approve the 18 Site Plan Waivers. The vote was as follows: Mr. Miller, yes; Ms. Mitchell, yes; Ms. Salay, yes; Ms. Newell, yes; Mr. Stidhem, yes; Ms. De Rosa, yes; and Mr. Brown, yes. (Approved 7 – 0)

#### **Motion and Vote**

Mr. Brown motioned, Ms. Mitchell seconded, to approve the Site Plan Review with four conditions:

- 1) Define a portion of the courtyard as Public Open Space in order to comply with the Open Space Node shown on Figure 153.063—Neighborhood Standards (6)(d)(2)—Open Space Network;
- 2) The applicant will submit construction details for the surface parking lot to the satisfaction of staff, prior to building permit approval;
- 3) The applicant will remove the off-street parking spaces from the parking count on the site plan; and
- 4) That the applicant work with staff to ensure the utility meters are fully screened.

Russ Hunter agreed to the above conditions.

The vote was as follows: Mr. Miller, yes; Ms. Newell, yes; Mr. Stidhem, yes; Ms. Salay, yes; Ms. De Rosa, yes; Ms. Mitchell, yes; and Mr. Brown, yes. (Approved 7 – 0)

### **3. SuperSystem Athletics 16-101CU**

### **6365 Shier Rings Road Conditional Use**

The Chair, Victoria Newell, said the following application is a Conditional Use proposal for a 5,700-square-foot indoor recreation facility within an existing building in the Technology Flex District. She said the 2.07-acre site is on the south side of Shier Rings Road, approximately 340 feet east of the intersection with Avery Road. She said this is a request for a review and approval of a Conditional Use under the provisions of Zoning Code Section 153.236.

Claudia Husak said there was a correction with this proposal. The Chair swore in anyone planning to address the Commission regarding this case.

Lori Burchett said recommendation for approval as written in the Planning Report stated a parking alteration from 33 to 16 spaces, which was a typo. She said the alteration should be from 23 spaces to 16 spaces, which is less intensive.

**Motion and Vote**

Mr. Brown motioned, Mr. Stidhem seconded, to approve the Conditional Use with a parking alteration from 23 to 16 spaces for the recreational use with no conditions. The vote was as follows: Mr. Miller, yes; Ms. Mitchell, yes; Ms. Salay, yes; Ms. Newell, yes; Ms. De Rosa, yes; Mr. Stidhem, yes; and Mr. Brown, yes. (Approved 7 – 0)

**4. Bishop’s Run & Bishop’s Crossing  
16-104AFDP**

**Hyland-Croy Road  
Amended Final Development Plan**

The Chair, Victoria Newell, said the following application is a proposal for modifications to the entry feature and open space along the Hyland-Croy Road frontage of the two neighborhoods based upon an approved Beautify Your Neighborhood Matching Grant. She said the site is on the east side of Hyland-Croy Road, at the intersection with Tullymore Drive. She said this is a request for a review and approval of an Amended Final Development Plan under the provisions of Zoning Code Section 153.050.

**Motion and Vote**

Mr. Brown motioned, Ms. Salay seconded, to approve the Amended Final Development Plan with three conditions:

- 1) That all trees shall be replaced in accordance with Code at the time of replacement, and the HOA shall work with Staff to finalize replacement species at the time of replacement;
- 2) That any trees that cannot be comfortably planted within Reserves A and B should be planted in the Bishop’s Run/Bishop’s Crossing subdivisions’ other Reserve areas, subject to Planning approval; and
- 3) That the applicant shall coordinate with the City Engineer prior to commencement of Phase G.

Kris Miller agreed with the three conditions.

The vote was as follows: Ms. De Rosa, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Ms. Newell, yes; Mr. Brown, yes; and Ms. Salay, yes. (Approved 7 – 0)

**Planning Items**

Vince Papsidero noted the Commission will receive a detailed status report in January.

The Chair wished everyone a Happy Holiday and adjourned the meeting at 7:16 pm.

As approved by the Planning and Zoning Commission on January 19, 2017.